

N AN EXACT *Gifford*
Dec 29
Abridgment

Of all the
STATUTES
IN

FORCE and USE,

FROM

Magna Charta, 9 H. 3. to the Be-
ginning of the Reign of King GEORGE.

VOL. IV.

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Abridgment

OF THE

STATUTES

IN

FORCE AND USE

MAY 11 1918

Wm. Charles H. Bell, the Jr.
Giving of the Record King GEORGE

VOL. IV.

AN EXACT
ABRIDGMENT

Of all the
STATUTES

In Force and Use

To the Beginning of the Reign
of King GEORGE.

V O L. IV.

Tail.

2. **W** *Estm. 2. c. 1. 13 E. 1.* Where Lands are given to a Man and the Heirs of his Body, or to Husband and Wife, and the Heirs of their two Bodies, upon Condition, that if such a Man, or such a Husband and Wife, die without Issue; that then the Land should revert to the Donor; or where Land is given in Frankmarriage, and such a Condition is conceived to be annexed or implied: In all such Cases heretofore the Feoffees (after Issue had) had Power to alien, and to disinherite the Issue, contrary to the Mind of the Donors: Wherefore now it is ordained, that the Will of the Giver (according to the Form of the Deed

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of Gift manifestly expressed) shall be from henceforth observed, so that they to whom the Land was given upon such Condition shall have no Power to alien the Land so given, but it shall remain to their Issue after their Death, or shall revert to the Giver or his Heirs, if Issue fail: Neither shall the second Husband of any such Woman from henceforth have any Thing of the Land so given upon Condition (after the Death of his Wife) by the Law of England, nor the Issue of such second Husband and Wife shall succeed in the Inheritance; but immediately after the Death of the Husband and Wife, unto whom the Land was given, it shall return unto the Issue of the Giver or his Heirs, as aforesaid.

II. Hereupon a new Writ of Formedon in descender is granted in this Form: *Præcipe A. quod iuste, &c. reddat E. Manerium de F. cum suis pertinentiis, quod C. dedit tali viro & tali mulieri, & heredibus de ipsi viro & muliere exeuntibus.* Or thus: *Quod C. dedit tali viro in liberum maritagium cum tali muliere; & quod post mortem prædictorum viri & mulieris prædicto B. filio eorum viri & mulieris descendere debeat per formam donationis prædictæ, ut dicit, &c. vel, quod C. dedit tali & heredibus de corpore suo exeuntibus, & quod post mortem illius talis prædicto B. filio prædicti talis descendere debeat per formam, &c.*

III. This Act shall extend to Gifts hereafter to be made, and not to Gifts heretofore made, and a Fine hereafter to be levied upon such Lands shall be void in Law: Neither shall the Heir or Reversioner (albeit they be of full Age, in England, or out of Prison) need to make their Claim. But this Law, concerning a Fine, is in some sort altered by 32 H. 8. 36. which see in Fines.

Taxes, Duties, Impositions, Tenths, Fifteens, Benevolences, Ship-Money, &c.

I. Stat. 25 E. 1. Certain Taxes then before taken shall not be taken in Custom, but by the common Assent of the Realm, except ancient Aids and Taxes.

II. Stat. De Tallagio non concedendo, cap. 1. temp. E. 1. No Tallage or Aid by us or our Heirs shall be levied without the Will and Assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgessees, and other free Commons of our Realm.

III. Stat. 1 E. 3. Stat. 2. cap. 6. Whereas after Taxes rated, levied, and paid into the Exchequer, Commissions of Review issued out, by Colour whereof the Justices thereto assigned took Fines of the Taxers and others; it is ordained, That from henceforth the People shall be taxed after the old Manner, and not otherwise.

IV. Stat.

IV. Stat. 11 R. 2. 9. No Imposition or Charge shall be put upon Wooll, Leather, or Wooll-Fells, other than the Custom and Subsidy granted to the King in this present Parliament; and if any be, the same shall be annulled; saving always unto the King his ancient Right.

V. Stat. 9 H. 4. 7. Goods shall be chargeable towards the Payment of Tenths or Fifteens in the Place where they were at the Time the same were granted; howbeit none shall be twice charged for his Goods.

VI. Stat. 1 R. 3. 2. The Subject of this Realm shall not be hereafter charged by any Charge called a Benevolence, or any such like Exaction or Imposition whatsoever; and such Imposition heretofore charged upon the Subject shall not be hereafter drawn into Precedent or Example.

VII. Stat. 19 H. 7. 8. No Mayor, Sheriff, Bailiff, or other Officer, shall distrain, take or levy any Custom called *Scavage*, or *Shewage*, of any Denizen, for any Merchandize before truly customed, nor for the Payment thereof let or disturb any Merchant or other (being Denizens) to sell or utter the same Merchandize, in Pain of 20 l. to be divided betwixt the King and the Party grieved, or the Prosecutor, which of them will sue first for it.

VIII. Howbeit the Mayor and Commonalty of London may take so much Money, of Denizens, for *Scavage*, as shall be found to be their Right by the King and his Council.

IX. Stat. 16 & 17 Car. 1. 14. An Act for declaring unlawful and void the late Proceedings touching Ship-Money; and for the vacating of all Records and Process concerning the same.

X. Stat. 13 Car. 2. cap. 4. An Act for a free and voluntary Present to his Majesty: *Exp.* But declared thereby, That no Commissions or Aids of this Nature can be issued or levied but by Authority of Parliament; and that the Supply hereby granted shall not be drawn into Example.

XI. Stat. 1 W. & M. Sess. 1. cap. 3. An Act for granting a present Aid to their Majesties, of 68820 l. 19 s. 1 d. per Month, for Six Months, from the 25th of March, 1689. *Exp.*

XII. Stat. 1 W. & M. Sess. 1. cap. 13. An Act for raising Money by a Poll, and otherwise, towards the Reduction of *Ireland*. *Exp.*

Taxes, &c.

This was a Twelve-penny Poll, besides Quality: Every 100 *l.* in Money, &c. paid 10 *s.* And Offices, &c. were charged 12 *d.* per Pound to some, and 3 *s.* to others.

XIII. Stat. 1 *W. & M. Sess.* 1. cap. 20. An Act for a Grant to their Majesties of an Aid of 12 *d.* in the Pound for one Year (from 1 June, 1689) for the necessary Defence of their Realms.

Exp.

The Assessment on personal Estates, and the Moiety upon real Estates, to be answered and paid into the Exchequer by the first of December, and the other Moiety by the first of March. And their Majesties to appoint the Commissioners, being resident and having real Estates of 100 *l.* per Annum in their respective Counties.

Anno 1 *W. & M. Sess.* 1. cap. 24. An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors. Vide *Excise*.

XIV. Stat. 1 *W. & M. Sess.* 1. cap. 31. An additional Act for the appointing Commissioners for the executing the last foregoing Aid of 12 *d.* in the Pound. *Exp.*

By this Act their Majesties may appoint so many other Persons to be Commissioners as they shall find necessary, being resident within the respective Places, and having Estates of 1000 Pounds Value.

XV. Stat. 1 *W. & M. Sess.* 2. cap. 1. An Act for granting to their Majesties an Aid of 2 *s.* in the Pound for one Year. *Exp.*

To be paid by four Quarterly Payments, whereof the first to be upon the 25th of March 1690. And the Commissioners named in and appointed for this Act are to review the Assessments on the foregoing Aid of 12 *d.* in the Pound.

In Case of Neglect or Refusal to pay the Tax upon Demand, the Collector to distrain; and if the Owner do not pay within four Days, the Distress to be appraised and sold, and the Overplus to be returned to the Owner.

Assessors, Collectors, or Receivers, neglecting their Duty, three Commissioners may fine them from 5 *l.* to 10 *l.*

Head Collectors neglecting, to forfeit 20 *l.*

Receivers General neglecting, forfeit 500 *l.*

The Commissioners of the Treasury not to direct the Payment of the Money, but as the Act directs.

The Sums appropriated, an Accompt thereof to be kept distinct from other Sums.

Officers diversing or misapplying any Part of the Sums appropriated, shall forfeit the Sum misapplied, half to the Informer, and half to the Poor.

Officers

Officers of the Exchequer or Navy offending against this Act, forfeit their Offices, and disabled to hold any other.

No Stay of Prosecution to be in Proceedings for recovering the Forfeitures, or disabling Persons offending against this Act.

XVI. Stat. 1 W. & M. Sess. 2. cap. 5. An Act for a Grant to their Majesties of an additional Aid of 12 *d.* in the Pound for one Year. *Exp.*

To be raised with the 2 *s.* in the Pound granted by the last foregoing Act, and executed in the same Manner, and by the same Commissioners, but neither of the Acts to charge Timber-Trees growing.

Anno 1 W. & M. Sess. 2. cap. 6. *An Act for the charging and collecting the Duties upon Coffee, Tea, and Chocolate, at the Custom-house. Vide Customs.*

XVII. Stat. 1 W. & M. Sess. 2. cap. 7. An Act for Review of the late Poll granted to their Majesties (*Anno 1 W. & M. Sess. 1. cap. 3.*) and for an additional Poll towards the reducing of Ireland, and prosecuting the War against France.

By this Act Tradesmen, &c. worth 300 *l.* Officers, &c. in the Ecclesiastical or Civil Courts, and Clergymen having an Estate in any Ecclesiastical Benefice or Contribution of 300 *l.* Value, were to pay 20 *s.* as Gentlemen. To be executed by so many of the Commissioners for the Aid of 2 *s.* per Pound as their Majesties shall appoint: And the Monies to be paid into the Exchequer by the 10th of June 1690.

XVIII. Stat. 2 W. & M. Sess. 1. cap. 2. An Act for raising Money by a Poll, and otherwise, towards the reducing of Ireland, and prosecuting the War against France.

This was a Twelve-penny Poll, besides Quality; every 100 *l.* in Money, &c. paid 10 *s.* Offices, &c. were charged 12 *d.* per Pound, and many other Particulars were rated in the said Act: To be executed by the Commissioners for the Aid of 2 *s.* per Pound, but the Peers by Commissioners appointed by the Act for their Offices or Personal Estates. The Money to be paid into the Exchequer by the 20th of August 1690.

Anno 2 W. & M. Sess. 1. cap. 3. *An Act for granting to their Majesties for their Lives, and the Life of the Survivor of them, certain Impositions upon Beer, Ale, and other Liquors. Vide Excise.*

Anno 2 W. & M. Sess. 1. cap. 4. *An Act for granting to their Majesties a Subsidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported. Vide Customs.*

XIX. Stat. 2 W. & M. Sess. 2. cap. 1. *An Act for granting an Aid to their Majesties of the Sum of 1651702 l. 18 s. viz. 137641 l. 18 s. 2 d. per Month, for twelve Months, from the 25th of December 1690, by four Quarterly Payments: To be executed by the Commissioners named in the Act.*

Anno 2 W. & M. Sess. 2. cap. 3. *An Act for doubling the Duty of Excise upon Beer, Ale, and other Liquors, during the Space of one Year. Exp. Vide Excise.*

Anno 2 W. & M. Sess. 2. cap. 4. *An Act for granting to their Majesties certain Impositions upon all East India Goods and Manufactures, and upon all Wrought Silks, and several other Goods and Merchandizes to be imported after the 25th of December 1690. Vide Customs.*

Anno 2 W. & M. Sess. 2. cap. 5. *An Act for the Continuance of several former Acts therein mentioned for the laying several Duties upon Wines, Vinegar, and Tobacco. Vide Customs.*

Anno 2 W. & M. Sess. 2. cap. 9. *An Act for the encouraging the distilling of Brandy and Spirits from Corn, and for laying several Duties on Low-Wines, or Spirits of the first Extraction. Vide Excise.*

Anno 2 W. & M. Sess. 2. cap. 10. *An Act for granting to their Majesties several additional Duties of Excise upon Beer, Ale, and other Liquors, for four Years, from the Time that an Act for doubling the Duty of Excise upon Beer, Ale, and other Liquors, during the Space of one Year, doth expire. Vide Excise.*

Anno 3 W. & M. cap. 1. *An Act for granting to their Majesties certain Impositions upon Beer, Ale, and other Liquors, for one Year. Exp. Vide Excise.*

XX. Stat. 3 W. & M. cap. 5. *An Act for granting an Aid to their Majesties of the Sum of 1651702 l. 18 s. towards the carrying on a vigorous War against France, viz. 137641 l. 18 s. 2 d. by the Month, for twelve Months, from the 25th of December 1691, by four Quarterly Payments: To be executed by the Commissioners named in the Act. Exp.*

XXI. Stat.

XXI. Stat. 3 & 4 W. & M. cap. 6. An Act for raising Money by a Poll, payable Quarterly for one Year, for the carrying on a vigorous War against France. *Exp.*

XXII. Stat. 4 W. & M. cap. 1. An Act for granting to their Majesties an Aid of 4 s. in the Pound for one Year, for carrying on a vigorous War against France; by four Quarterly Payments, the first whereof to be made on the 25th of March 1693. To be executed by the Commissioners named in the Act, with Power to their Majesties to supply them, where deficient, with Persons of 100 l. per Annum real Estates. *Exp.*

Anno 4 W. & M. cap. 3. An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned to such as voluntarily advance in the Sum of 1000000 l. towards carrying on the War against France. *Vide Excise and Annuities.*

Anno 4 & 5 W. & M. cap. 5. An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandizes, for the prosecuting the present War against France. *Vide Customs.*

XXIII. Stat. 4 & 5 W. & M. cap. 14. An Act for the Review of the Quarterly Poll granted to their Majesties in the last Sessions of this present Parliament (cap. 6.) To be executed by the Commissioners (qualified) for the then 4 s. Aid. *Exp.*

Anno 4 & 5 W. & M. cap. 15. An Act for continuing certain Acts therein mentioned, and for charging several Joint-Stocks. *Vide Customs.*

XXIV. Stat. 5 W. & M. cap. 1. An Act for granting to their Majesties an Aid of 4 s. in the Pound for one Year, for carrying on a vigorous War against France; by four Quarterly Payments, the first whereof to be made on the 26th of March 1694. To be executed by the Commissioners (qualified) for the 4 s. Aid, Anno 4 W. & M. And the Assessors to be sworn: None to be Commissioners in the Counties who did not pay 20 s. Quarterly to the Poll, Anno 3 & 4 W. & M. or 4 l. to the Review of the Quarterly Poll 4 & 5 W. & M. Nor a Commissioner in any City, &c. who did not pay 20 s. Quarterly, as aforesaid, or 10 s. Quarterly as a Tradesman worth 300 l. to the Quarterly Poll, or 40 s. to the Review of the said Poll. *Exp.*

Anno 5 W. & M. cap. 2. *An Act for repealing such Parts of several former Acts as prevent or prohibit the Importation of Foreign Brandy, Aqua-Vitæ, and other Spirits, and Bacon, except from France. Vide Trade.*

Anno 5 W. & M. cap. 5. *An Act for supplying the Deficiency of the Million Act, 4 W. & M. cap. 3. Vide Annuities.*

The Lottery-Act.

XXV. Stat. 5 & 6 W. & M. cap. 7. From and after the 25th Day of March 1694 there shall be raised, levied, collected, and paid unto their Majesties until the 17th Day of May which shall be in the Year 1697, and no longer, for Salt, the Rates and Duties following. *viz.*

XXVI. Three Pence shall be paid by the Importer for every Gallon of Salt, not being of the Product or Manufacture of this Kingdom, that shall be imported after the said 25th of March, over and above the present Duties now payable for Salt imported.

XXVII. The Duty hereby set on all foreign and imported Salt, shall be paid in ready Money upon Entry made, before the landing; and if any be landed before due Entry with the Collector, or before the Duty satisfied, or without a Warrant for landing the same, first signed by the Collector in the Port, the same or the Value to be forfeited, and to be recovered in such manner as any Forfeiture is to be recovered, mentioned in an Act of 12 Car. 2. intituled, *An Act for the taking away the Court of Wards and Liveries and Tenures in capite, &c.* or by any other Statute now in force relating to the Revenue of Excise: Nevertheless such Importer of Foreign Salt shall have six Months Time for the Payment, giving Security to the Collector; but if he pay ready Money, he shall have ten Pound *per Cent.* abated.

XXVIII. Every Gallon of Salt, and Rock-Salt made within this Kingdom, shall pay one Penny half-penny, and after that Rate for a greater or lesser Quantity.

XXIX. The Duties upon Salt shall be managed by the Commissioners of the Excise, and the Collectors shall be appointed under their Hands and Seals.

XXX. All Makers and Proprietors of Salt and Rock Salt, shall make true Entries with the Officers hereby appointed, of the Quantities of Salt by them made or taken out of the Pits, and shall have a Warrant *gratis* under the Hand and Seal of the Officer empowering such Maker or Proprietor to carry away the same, before it shall be removed, the said Warrant to be given upon Payment, or Security of Payment, within six Months after
such

such Entry. Provided if any Person at the Time of Entry and Delivery shall pay down the Duty hereby imposed, he shall be allowed at the Rate of 10 *l.* per Cent.

XXXI. It shall be lawful for the Officers by this Act appointed to seize all such Salt which shall be conveyed away before Entry made, without Warrant of the Commissioners, or other Collectors: And the Salt that shall be so seized, shall be brought to the Office next the Place where such Salt be so seized, and there detained: And if the same be not claimed by the true Owner within ten Days after Seizure, it shall be forfeited and sold at the next General Day of Sale, to be appointed by the Commissioners or their Officers, one Moiety to the Use of their Majesties, the other to him that seized the same. And if the Owner shall claim the same within ten Days, and shall not make it appear before the next Justice of Peace in the County where such Seizure was, by the Oath of one or more Witnesses, that the Salt was duly entred, and that there was a Warrant for carrying away the same, then it shall be forfeited and disposed as aforesaid, and he that carried, or caused it to be conveyed away, shall forfeit double the Value.

XXXII. No Retailer shall be permitted to ship off any Salt to be sent to any Port in *England* or *Wales*, or to *Berwick*, before he hath made it appear by Oath, or otherwise, before the Commissioners or their Officers, or some or one of them, that the Duty of such Salt is paid or secured, or that it was bought of some other Retailer or Shop-keeper, that hath paid the Duty.

XXXIII. The Master and Commander of any Ship or Vessel that shall after the 25th Day of *March* aforesaid, transport any Salt from one Port or another in *England*, *Wales*, or to *Berwick*, shall, before Landing it; deliver to the Collector of this Duty in the said Port, a true Particular of the Quantity thereof, signed by the Collectors of this Duty, and the Officers of the Customs in that Port from whence the Vessel came, and that then the Master or his Mate, or the Boatswain of such Ship or Vessel, shall make Oath before the Commissioners, or their Officers, or one of them, that to his Knowledge there hath not been taken into the Ship any Salt since he or they came from such Port; and if such Ship be to deliver her Salt, Part at one Port, and Part at another, then the Collectors of this Duty, and the Officers of the Customs where such Part shall be delivered, shall *gratis* certify on the Cocket, *Transire*, or other Warrant, or by Certificate under the Hand and Seal of the Officer. what Quantity of Salt mentioned in the Cocket whence such Ship came, hath been there landed, upon Forfeiture of double the Value of the Salt that shall be otherwise delivered.

XXXIV. For all such Fish hereafter-mentioned, as shall be exported during the Continuance of the Duty upon Salt by this Act,

Act, from any Port or Place in *England, Wales and Berwick*, into Parts beyond the Seas, shall be paid these Rates, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Every Vessel of Pilchards or Scads, containing 50 Gallons.	3	00	12 00
Every Barrel of White-Herrings,	00	02	06
Every Barrel of Red Herrings,	00	02	00
Every Barrel of Salmon,	00	05	00
Every Hundred of Cod-fish, Ling, Conger, or Hake,	3	00	15 00

And so proportionably for a greater or smaller Number or Quantity, shall be paid by the Officer appointed to collect the Duties upon Salt payable by this Act, in the same Port, from whence any such Fish shall be exported, within thirty Days after Demand thereof, on a Debenture to be prepared by the Collector of the Customs where such Fish shall be exported, and verified by the Searcher there, as to the Quantity of Fish actually shipped; and the Oath of the Exporter shall be first taken before the Principal Officers of the said Port, before the Debenture be allowed, that the Fish in such Debenture mentioned were *English* taken, and really exported to Parts beyond the Seas, and not intended to be reloaded in *England, Wales, or Berwick*: And if the Officer have not Money in his Hands to pay the same, then upon his Certificate, the principal Commissioners of Excise shall pay it; and if the Officer refuse to pay, or give such Certificate, he shall forfeit double the Sum.

XXXV. If any Person shall export beyond the Seas any Salt, as well Foreign as *English*, or any Rock-Salt, the Officer where the Salt was made, taken out of the Pit, or imported, and the Duty thereof paid or secured, shall upon Demand, *gratis*, deliver a Certificate under his Hand and Seal, that the Duty imposed by this Act on such Salt, hath been duly paid or secured; and then the Officer where the Salt is exported, upon producing the Certificate, and Oath made of the Shipping of the said Salt, and of its not being reloaded in *England or Wales*, shall give a Debenture under his Hand for Repayment of the said Duty, which being produced to the Officer of the Place where the Duty on the said Salt shall have been paid or secured, such Security shall be discharged, and the Money for the Duty of the said Salt shall be repaid upon Demand, by the said Officer without Fee.

XXXVI. All Salt imported by Sea or Land into *England, Wales, or Berwick*, and not of the Product of any of the said Places, shall be adjudged Foreign Salt, and so chargeable: And all *Scotch* Salt brought by Land into *England*, shall be entered at *Carlisle or Berwick*, under Forfeiture of double the Value.

XXXVII. The Justices of Peace (not concerned in making or selling Salt) at every *Easter* and *Michaelmas* Sessions, shall set the Prices of Salt to be sold by the first Seller, for the next half Year, and none to sell above those Prices, under the Penalty of of 5 *l.* and Forfeiture of double the Value, to be levied by Distress and Sale of the Offenders Goods, one half to the King, and the other to the Informer.

XXXVIII. No Person shall be capable of acting as chief Commissioner for collecting the said Duties, till he hath taken, before one of the Barons of the Exchequer, the Oaths appointed in the first Year of King *William* and Queen *Mary*, Intituled, *An Act for abrogating the Oaths of Supremacy and Allegiance*; and the Oath following,

YOU shall swear to execute your Office truly and faithfully, without Favour or Affection, and shall from Time to Time true Account make and deliver to such Person or Persons, as their Majesties shall appoint to receive the same, and shall take no Fee or Reward for the Execution of the said Office from any other Person than from their Majesties, or those whom their Majesties shall appoint on that Behalf.

The like to be taken by other Officers before two of the chief Commissioners, or two Justices of Peace of the Place where he shall be appointed Officer, *mutatis mutandis*.

XXXIX. The general Issue may be pleaded by the Defendant, on Suit, and the special Matter given in Evidence; and if the Verdict pass for the Defendant, or the Plaintiff be nonsuit, he shall have double Costs.

XL. No *Certiorari* shall supersede Execution or other Proceedings, upon any Orders made by the said chief Commissioners or Justices of Peace in Pursuance of this Act.

XLI. All Salt shall be measured by a Bushel of eight Gallons, *Winchester* Measure, by six Measurers, sworn and admitted by some neighbouring Justice, without Fee, upon Forfeiture of double the Value of the Salt so measured.

XLII. No Salt shall be delivered from any Salt-Works or Pits, without Notice to the Officer, upon Forfeiture of the Salt so delivered, and upon Forfeiture of twenty Pounds by the Owner of the Salt-Works, one half to the King, and the other to the Informer.

XLIII. If any of the Salt for which the Duty shall have been repaid and discharged upon the Exportation thereof, shall by Fraud or other wise be landed in *England, Wales, or Berwick*, before

fore the Duty be again paid, and such Entry and all other Things performed, as are herein before required in case where any Foreign Salt is imported, the Offender shall forfeit double the Value of such Salt so landed, and such other Penalties as are herein inflicted upon any Person landing Salt contrary to the Intent of this Act.

XLIV. If any Merchant, being a Subject of this Realm, shall ship any Salt that hath paid the Duty, to convey it by Sea to any Part of *England*, and the Vessel shall happen to be lost or taken, he shall, upon Proof before the Justices at Quarter-Sessions, of such Loss, have a Certificate of it, and upon producing the same to any Collector of this Duty, the Officer shall let him buy the like Quantity, without paying any Duty for the same.

XLV. The Owners of any Rock-Salt may remove the same into Warehouses, after the due Entry thereof made, and a Warrant or Ticket taken for the same from the Officer next to the Salt Pits; and the Owner shall not be obliged to pay or secure the Payment of the said Duty, till the said Rock-Salt shall be sold and delivered.

XLVI. No Person shall be obliged by Contract before the first of *December* 1693, to deliver any Salt or Rock-Salt, unless the Buyer at the Time of the Delivery pay to the Seller such Money as he hath paid, or secured for the Duty.

XLVII. All Salt made in *Cheshire* shall be entred by Weight only, fifty-six Pound-weight shall be taken to be a *Winchester* Bushel of eight Gallons *Winchester* Measure, and shall be entred and taxed accordingly. And all Salt taken out of the Pits, shall be entred by Weight only, and that sixscore Pound-Weight shall be deemed a *Winchester* Bushel of eight Gallons *Winchester* Measure, and entred accordingly. And where any Rock-Salt shall be melted and refined, which had before paid the Duty, the Refiner shall have Allowance after the Rate of 12 *d.* per Bushel; Oath being first made before some Justice of Peace of the particular Quantity by him so employed.

XLVIII. This Branch of the Act concerning Excise upon Beer, Ale, Cyder, and other Liquors herein after expressed, over and above all Duties and Impositions by any former Act unexpired, commenceth from the 17th of *May* 1697, and continues for sixteen Years, and no longer, in Manner and Form following, *viz.*

l. s. d.

Every Barrel of Beer or Ale above 6 *s.* the Barrel,
by the Common Brewer or Seller, over and above } 00 00 09
the Duties payable for the same.

Every Barrel of Beer or Ale at or under 6 *s.* the
Barrel by the Common Brewer or Seller, over and } 00 00 03
above the Duties payable for the same.

Every

Every Barrel of Vinegar, or Vinegar-Beer brewed or made of *English* Materials for Sale, over and above the Duties payable for the same. } 00 01 06

Every Barrel of Vinegar or Liquor prepared for Vinegar, made or mixed with Foreign Materials, made for Sale. } 00 04 00

Every Barrel of Beer, Ale or Mum imported from beyond Sea, or from *Guernsey* or *Jersey*, and so proportionably for a greater or lesser Quantity. } 00 03 00

Every Ton of Cyder or Perry, and so proportionably, imported from beyond Sea, to be paid before Landing, over and above the Duties payable for the same. } 04 00 00

Every Gallon of single Brandy, Spirits or *Aqua-vita* imported from beyond Sea, to be paid before landing. } 00 02 00

Every Gallon of double Brandy, Spirits or *Aqua-vita* above Proof imported from beyond Sea. } 00 04 00

Every Hogshead of Cyder or Perry made and sold by Retail, by the Retailer. } 00 01 00

Every Gallon of Metheglin or Mead made for Sale, sold by Retail or otherwise. } 00 00 03

XLIX. The said several Rates and Duties to be levied, collected and paid, over and above the Duties payable for the same, and so proportionably for a greater or lesser Quantity, for sixteen Years, in the same Manner and Form, and under such Penalties as are mentioned in an Act of 12 Car. 2. Intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, &c.* and by another Act in the same Year, Intituled, *A Grant of certain Impositions upon Beer, Ale, and other Liquors, &c.* and by another Act made the 15th of Car. 2. Intituled *An additional Act for the better ordering and collecting the Duty of Excise, &c.* And the said Acts, as to the Impositions upon Beer, Ale, &c. by this Act granted, shall be of full Force to all Intents during the said Term of sixteen Years, as if the same were particularly set down in the Body of this Act.

L. The Commissioners for Receipt of Excise and the Duties upon Salt, shall at the Head-Office in *London*, keep the Money hereby raised apart by it self, and shall pay the same weekly, *viz.* on *Wednesday* in every Week, if it be not a Holiday, and if it be, then the next Day after that is not a Holiday, into the Exchequer, distinct and apart from all other Money. And there shall be a Book kept in the Office of the Auditor of the Receipt, wherein the weekly Money paid into the Exchequer, shall be entered apart and distinct.

LI. The Commissioners refusing or neglecting to pay the said weekly Sums, or misapplying them, shall forfeit their Offices, and be made incapable of any Office of Trust whatsoever; and shall be liable to pay such Sums misapplied, to any Person who shall sue for the same; The Salaries and incident Charges to be paid by the King out of the Duties upon Salt.

LII. The Head-Office of Excise established by this Act shall be continued in *London*, or within ten Miles of it, to be executed by a sufficient Number of Commissioners by their Majesties to be appointed; and also a Controller, who shall keep a distinct Account in Books fairly written, of all the Monies arising by this Act, as shall be brought into the said Office; to which Books all Persons shall have Access *Gratis*. Nor shall the Commissioners receive any other Salary or Fee than by this Act appointed.

LIII. The yearly Sum of 140000 *l.* out of the Duties hereby granted, shall be the yearly Fond, reckoning the first Year to commence from the 25th of *March*, 1694, to be brought in weekly into the Exchequer. And if the weekly Payments will not amount to 140000 *l. per Annum*, yet so far as it will extend, shall be Part of it, towards answering the Purposes herein mentioned. And if the weekly Payments fall short of satisfying the said 140000 *l.* or to discharge the Annuities or other Benefits hereby charged, then the Commissioners of the Treasury, or Under-Treasurer of the Exchequer, shall apply so much of their Majesty's Revenue (not being appropriated to any particular Use by Act of Parliament) to supply the Defect of the said Recompences of Annuities.

LIV. Foreigners as well as Natives may contribute towards advancing the Sum of 1000000 *l.* by paying at or before the 10th of *September* 1694. to any Receiver hereby appointed, the Sum of 10 *l.* each, or divers intire Sums of 10 *l.* each; and for every 10 *l.* to be interested in one Lot or Share of the said yearly Fond for sixteen Years. Which Tickets or Lots are to be in Number 100000, whereof 2500 to be Benefits, or Fortunate Tickets, amounting in the whole to 40000 *l. per Annum* to be prepared and drawn according to the Directions of the Act.

LV. After six Days, and within sixty Days after the Drawing is finished, the Adventurers or their Agents, which are possessed of Fortunate Lots, shall appear with the said number'd Tickets before the Managers, that so the Managers may write down the Names of the Fortunate Lots, and the several yearly Sums thereon written, and to whom they belong, and the Number of the Ticket against each Fortunate Ticker: And for the better Satisfaction of the Fortunate Adventurers, the yearly Annuities shall be printed. And if any Contentions shall arise, the major Part of the Commissioners shall determine the same. All Forgers of counterfeit Tickets, knowing the same to be so, and being thereof legally convict, shall be punished as Felons.

LVI. The Managers to prepare a Parchment Book, wherein shall be entred the Names and Surnames of Persons entituled to Fortunate Tickets, and their respective Places of Abode, and the yearly Annuities they are to have: This Book to be signed by the Managers, and to be transmitted by the first Day of *March* 1694, into the Office of the Auditor of the Receipts of the Exchequer; and a Duplicate thereof shall be transmitted to the Officer of the Transfer-Office herein after-mentioned. The Annuities to be paid by half-yearly Payments, *viz.* at *Lady-day* and *Michaelmas*, or within twenty Days after; the first Payment to be at *Lady-Day* 1695. The Lots which are not fortunate, shall have twenty Shillings *per Annum* paid every *Michaelmas*, or twenty Days after, the first Payment to be at *Michaelmas*.

LVII. And for the due Payment of the said Annuities, and making them safe and easie to the Adventurers, there shall be a Transfer-Office erected in *London*, and a Commissioner or chief Officer appointed by their Majesties under the Great Seal of *England*. After the adjusting the Fortunate Lots above-said by the said Managers, all the Ticket-Books and Tickets which shall remain in the Hands of the Managers (except that Book which is to be transmitted into the Exchequer) shall be committed to the Commissioner of the Transfer-Office, who is also to receive in all the Ten-Pound Tickets delivered out, and to deliver out to the Bearer of each of those Tickets sixteen Vellom Tickets for the sixteen yearly Payments upon the Annuities of 30 s. *per Annum*, and two and thirty Vellom Tickets for the two and thirty half-yearly Payments upon the higher Annuities. And that Books upon a particular Sort of Vellom or Paper on the Backside clouded, shall be printed, to contain as many Tickets as be necessary for this Purpose, and that three of one Sort be alike numbred and flourished. That the middle Ticket of the three be cut off indent-wise, to be delivered out, as aforesaid. That one of the other three be bound up in a Book, to remain in the Transfer-Office, for any Person to know whether the Ticket that is offered to be disposed, be a true or false one; And that the other of the three be bound up in a Book,

Book, and delivered into the Exchequer to pay by, when the middle Ticket becomes payable : And that the middlemost Ticket that shall be delivered to any one that shall be entitled to a Fortunate Lot, be signed by the Commissioner of the Transfer-Office, or his Deputy ; And that at some Time within forty Days before the growing due of the Payment of the said Annuities, the Commissioner of the Transfer-Office, or his Deputy, shall examine the Ticket for that particular Payment, and if it answers the Counterpart in that Office he shall sign the Examination thereof without Fee : And then the Officer of the Exchequer, examining the same, and finding it to answer the Counterpart lodged in his Office, he shall take it up, and pay the Contents thereof to the Bearer, at the Time appointed for the Payment thereof, without any farther Warrant or Order ; And that the Tickets for 20 s. *per Annum* shall be paid at the Exchequer without any farther Examination, Warrant or Order by the Commissioner of the Transfer-Office. And if a false Ticket be found, that the Officer of the Transfer-Office or Exchequer do cut a Slip out of it, and the Person that brings it be liable to pay a Fine of 5 l. and for Want of Payment to be committed to Prison.

LVIII. The Fee for examining a Ticket, in order to make a true Assignment or Transfer, other than to obtain the Payment thereof in the Exchequer, as aforesaid, shall be 1 d.

LIX. If any Person takes a Counterfeit Ticket, and does not come to the Office to prove it within ten Days after his Receipt thereof in *London*, or within ten Miles of *London*, or within thirty Days after the Receipt of it in any other Part of *England*, that then the Party that sold it shall not be liable to any Damage, or to repay the Value received for the same.

LX. If the Officers of the Exchequer shall take any other Fee or Reward than by this Act appointed for executing their respective Trusts and Offices, they shall forfeit their Office, and pay treble Damages with Costs of Suit to any Adventurer that will sue for the same without *Essoin*, Protection or Privilege of Parliament, &c.

LXI. If any Officer of the Transfer-Office shall pass any Ticket for Payment, or any Officer of the Exchequer shall make any Payment of any Shares of the said Fonds, upon such Tickets as are above directed, such Officer shall not incur any Penalty, or be liable to any Action of the Adventurers, tho' such Ticket be forged, except he knew it to be so.

LXII. Money lent by, or payable to any Persons by Virtue of this Act, shall not be chargeable with any Rates, Duties or Impositions whatsoever.

LXIII. All Grants or Dispositions of Money arising by this Act, hereafter to be made by their Majesties, to any other Person,

Person, or in any other Manner, or for any longer Term or Interest than by this Act appointed, shall hereby be made null.

LXIV. There shall be in the said Receipt of the Exchequer a distinct Office for paying the Annuities; the said Office shall continue till all the Payments, to grow due by this Act, during the said Term of sixteen Years, shall be satisfied. And an Officer or Officers shall be appointed hereunto by the Commissioners, or the Treasurer of the Exchequer, who shall take Security of the Officers for the due paying and accompting the Monies they shall receive, and for the faithful Performance of their Office. And the Monies which shall be brought into the Receipt of the Exchequer, shall, by the Commissioners of the Treasury, or the Under-Treasurer of the Exchequer, without any farther or other Warrant, and such Proportions from Time to Time, as shall be necessary and sufficient to answer the respective Payments which shall grow due, be issued or paid over from Time to Time to the Officers by way of Imprest, and upon Accompt to and for the Payment of the said Annuities by this Act appointed: And such particular Officers shall be liable and subject to such Inspection, Examination, Control and Audit, and to such Rules as the Commissioners of the Treasury, or the Treasurer and Under-Treasurer of the Exchequer, shall think fit.

LXV. The Managers, Directors, Commissioner and Officer of the Transfer-Office, Receivers, and the particular Officer in the Exchequer, and all the Clerks, Ministers and Servants, shall, for the better Execution of their Trusts, observe and perform such Rules, Methods, and Orders, as they shall from Time to Time receive from the Commissioners of the Treasury, &c. so as such Rules, Methods, and Orders, be conducive to the Ends and Purposes in this Act.

LXVI. The Receivers of the Salt-Duty shall, between the 25th of *March*, 1695, and the 29th of *September* following, and so yearly during the Continuance of this Act, deliver in their Accompts to the Auditors of the Imprest, who shall examine them upon Oath what Sum was raised, and what Part paid into the Exchequer, or by Virtue of any Warrant of Privy Seal, or Warrant of the Commissioners of the Treasury, and to whom, and for what Service; and such Accompt so taken by the said Auditors, to be declared before the Lord Treasurer, or Lords Commissioners of the Treasury, and Chancellor of the Exchequer.

LXVII. No Member of the House of Commons shall directly or indirectly be concerned in the farming, collecting, or managing any Duties granted by this Act, or that shall be granted by any other Act, except the Commissioners of the Treasury, the Officers of the Customs and Excise, not exceeding the present Number in each Office, and those appointed Commissioners for the Act of 4 J. in the Pound for one Year, as to their executing

only the Authority of the said Act, by which they are appointed Commissioners, and also excepting *Thomas Neal Esq;*

LXVIII. And by Stat. 5 & 6 W. & M. cap. 14. *versus finem*, every Person contributing several entire Sums of ten Pounds upon the said Lottery-Act, shall receive for the said Term of sixteen Years the several yearly Sums of one Pound for every ten Pounds so contributed, except for such ten Pounds as shall be entitled to a fortunate Lot.

LXIX. The Monies arising by the said Duties in the said Lottery-Act, during the last three Years of the sixteen, after all Arrearages of the said Annuities are satisfied, shall not be disposed of but by Act of Parliament.

LXX Stat. 5 & 6 W. & M. cap. 14. An Act for raising Money by a Poll, payable Quarterly for one Year, for carrying on a vigorous War against *France*; the first Payment to be made the first of *June* 1694. To be executed by the Commissioners of the 4 s. Aid, Anno 4 & 5 W. & M. qualified according to that and the subsequent 4 s. Aid-Act of 5 W. & M. *Exp.*

The Act upon Tonnage, &c. for Establishing the Bank of England.

LXXI. Stat. 5 & 6 W. & M. cap. 20. The Act upon Tonnage, and upon Beer and Ale, &c. for raising 1500000 l. for establishing the Bank of England, &c. It is enacted, That for four Years from the first of *June*, 1694, there shall be throughout *England, Wales*, and the Town of *Berwick*, levied and paid into, and for the Use of their Majesties, their Heirs and Successors, upon the Tonnage of all Ships and Vessels, whereon, during that Time, there shall be imported any Goods or Merchandize from the Places in the Act after-mentioned, or shall be carried Coast-wise from Port to Port within *England, Wales*, or the Town of *Berwick*, these Duties and Impositions, that is to say: For every Ton of the Burden or Contents of any Ship or Vessel importing Goods or Merchandize from the *East-Indies*, or any Ports Southward or Eastward of *Cabo bona Speranza*, the Sum of 30 s.

From any Ports or Places in *Italy* or *Turkey*, 15 s.

From any Ports or Places in *Portugal* or *Spain*, 10 s.

From any the Plantations, Lands or Places in the *West-Indies*, 10 s.

From *Holland*, or any the *United Provinces, Netherlands*, or *Flanders*, 3 s.

From

From Norway, Hambrough, or the Baltick-Sea, Eastland-Countries, or any other Ports or Places North of Holland, 5 s.

From Ireland or Scotland, 2 s.

From any Port or Place in the Mediterranean Sea (not otherwise charged in this Act) 15 s.

From the Ports or Coasts of Guinea or Africa without the Streights, 20 s.

From Hudson's Bay, or any Place within the Limits of that Company's Charter, 20 s.

From the Canaries, Maderas, or any the Western Islands, 10 s.

From any Ports or Places in Greenland, Muscovia or Russia, 10 s.

For every Ton of the Burden of any Ship or Vessel in the Coasting-Trade from Port to Port in England, Wales, or Berwick, 6 d.

LXXII. The several Duties imposed shall be accompted and paid, according to the Measure of such Ships or Vessels, which shall be made by their Majesties Officers, in the respective Ports or Places where they shall arrive; and the Masters, Owners, or Freighters, at the Port or Place of the Discharge, or unlading of their Ships or Vessels, shall cause them to be entred in the Custom-house belonging to such Port or Place, and at the Time of the Entry, or before any unlading, shall pay down in ready Money to their Majesties Officers of the Customs the said Duties, or give Security by Bond to their Majesties with Sureties, to be approved by the said Officers of the Customs, to pay the Duties within the Space of one Month next after clearing of the Ship. Where the Duties shall be paid down, there shall be a Rebate or Deduction out of the same, after the Rate of 10 l. per Centum per Annum for every hundred Pound the Duty shall amount unto. And where any Goods shall be unshipped to be laid on Land, before the Duty paid, or Security given, the Ship or Vessel out of which they shall be unladen, together with the Guns, Tackle, Ammunition and Apparel, shall be forfeited and lost, one Moiety to their Majesties, and the other to the Party that will sue or seize for the same, to be recovered in any of their Majesties Courts of Record at Westminster; and over and besides, the Owner, Master, or Freighters, shall be chargeable with the said Duties of Tonnage.

LXXIII. The Duties upon the Tonnage of Ships importing Goods or Merchandize from Parts beyond the Seas, or Scotland, shall be paid and born by the Merchant-Freighters, and by the Master and Owners of such Ships, by way of Average amongst themselves, two third Parts by the Merchants and Freighters, according to their Shares in the Freight, and the other third Part by the Masters or Owners; and the Duties upon Ships employed in the Coasting Trade shall be paid and born by the Master or Owners of such Ships.

LXXIV. Ships belonging to the Company of Merchants of London Trading to Greenland, shall pay 10 s. per Ton only for their own Blubber, Whale-Fins, or any other Merchandize, and not be obliged to pay according to the Shipping: And so likewise Ships Trading to Newfoundland shall pay only for their Train Oil and other Merchandize 10 s. per Ton, and not for the Measure of their Shipping.

LXXV. If Peace be made betwixt their Majesties and the French King during the Continuance of this Duty of Tonnage, then all Ships importing Goods and Merchandize from any of the French King's Territories in Europe without the Straights, shall pay the like Duty as any Ships importing Goods from Portugal are charged with by this Act, over and above all Duties payable for such Ships.

LXXVI. This Act shall not extend to charge or lay any Duty upon any Barges employed in carrying Sand, Lime, or Slate-Stone, from Port to Port within England or Wales, for and in respect of such Lading only.

LXXVII. All Ships and Vessels liable to these Duties shall be gaged and measured by the Length of the Keel taken within Board (so much as she treads upon the Ground) and the Breadth to be taken within Board by the Midship Beam from Plank to Plank; and the Depth of the Hold, to be taken from the Plank below the Kelsey to the under Part of the Upper-Deck-Plank, and the Length and Breadth as before; then multiply the Length by the Breadth, and the Product thereof by the Depth, and divide the whole by 94, and the Quotient will give the true Contents of the Tonnage; and the Duties of Tonnage thereby shall be computed and collected. This Clause is altered by Stat. 6 & 7 W. 3. cap. 12. *versus finem. Vide postea.*

The said Duties on Tonnage taken away after the seventeenth of May 1696. per Stat. 7 & 8 W. 3. cap. 31. *Vide postea.*

LXXVIII. After the seventeenth of May, 1697, there shall be throughout England, Wales, and the Town of Berwick, raised, collected, and paid unto their Majesties, their Heirs and Successors, by way of Excise, over and above all Impositions by any former Act then unexpired,

For every Barrel of Beer or Ale above 6 s. the Barrel, exclusive of the Duty of Excise, brewed by the common Brewer, or any other Person, who doth sell or tap out Beer or Ale publicly or privately, to be paid by the common Brewer, or any such other Person, and so proportionably for a greater or lesser Quantity, over and above the Duties payable for the same, 9 d.

For every Barrel of Beer or Ale of 6 s. the Barrel, or under, brewed or sold as aforesaid, and so proportionably, to be paid by such common Brewer, or other Person respectively, 3 d.

For every Barrel of Vinegar, or Vinegar-Beer, brewed or made of any English Materials, by any common Brewer, or any other

other Person for Sale, to be paid by the Maker thereof, and so proportionably for a greater or lesser Quantity, over and above the Duties of the Excise payable for the same, 1 s. 6 d.

If it run thro' Rape, or be made with, or passing thro' foreign Materials, or any Mixture with them, 4 s. per Barrel, and so proportionably.

For every Barrel of Beer, Ale, or Mum, imported from beyond the Seas, or Islands of *Guernsey* or *Jersey*, to be paid by the Importers before landing, and so proportionably for the Quantity, over and above the Duties payable for the same, 3 s.

For every Ton of Cyder or Perry imported from beyond the Seas, and so proportionably, to be paid by the Importer before landing, over and above the Duties payable for the same, 4 l.

For every Gallon of single Brandy, Spirits, or *Aqua Vita*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the same, 6 d. and of double, above Proof, 1 s.

For every Hogshead of Cyder and Perry made and sold by Retail, to be paid by the Retailer, and so proportionably for a greater or lesser Measure, over and above the Duties payable for the same 1 s. 3 d.

For every Gallon of Metheglin or Mead made for Sale, whether by Retail or otherwise, to be paid by the Maker, 3 d.

And these Duties shall be levied, collected, and paid in the same Manner and Form, and by such Rules, and under such Penalties and Forfeitures, as in the Acts made in the twelfth Year of King *Charles II.* and the fifteenth of the same King, are mentioned; or by any other Law in Force relating to the said Revenue of Excise; and the Clauses in the said Acts to be of Force for and concerning the Duties hereby granted, as if particularly recited in the Body of this Act.

LXXIX. The Commissioners of the Excise, and the Commissioners and other Officers of the Customs, at the Head Office in *London*, shall separate and keep apart all the Monies arising by these Duties, as the same shall from Time to Time arise, or be paid into the said Office of Excise, or unto the Receiver-General of the Customs; and the Controller of the Excise, and of the Customs, or their respective Deputies, shall keep a distinct Account in Books fairly written, of all those Rates and Duties, to which all Persons shall have free Access at all reasonable Times gratis. And the Commissioners of the Excise and Customs are to pay Weekly upon every *Wednesday*, if it be not a Holiday, and then the next Day after, that is not a Holiday, these Monies into the Receipt of the Exchequer, distinct and apart from other Monies they shall receive; and in the Office of the Auditor of the Receipt one Book shall be kept, in which all the said Weekly Monies shall be entred apart. And if the Commissioners shall refuse or neglect to pay into the Exchequer all or any of the said

Weekly Sums in such Manner as hereby required, or shall divert or misapply any Part of the same; or if such Controller shall neglect his Duty in keeping such Accompts, then he or they shall forfeit their respective Places, and be incapable of any Place of Trust or Office whatsoever; and such Commissioner shall be liable to pay the full Value of any Sum diverted or misapplied, to any Person that shall sue for the same in any of their Majesties Courts of Record at *Westminster*. Their Majesties out of the Duties may allow Salaries and incident Charges, as shall be necessary for receiving, collecting and managing the same Duties. The Head Office of Excise now in *London* shall be continued there for ever, or within ten Miles thereof; and likewise for ever shall be continued there, or within the same Distance, a Controller of the Excise; the Commissioners of the Excise and Controller to be appointed by their Majesties, their Heirs and Successors.

LXXX. That yearly and every Year, reckoning the first Year to begin from the first of *June*, 1694, the full Sum of 140000 *l.* out of these Monies, by the said Duties of Tonnage and Excise, and to be brought into the Receipt of the Exchequer by Weekly Payments (in Case the Weekly Payments shall extend thereunto) shall be the whole and entire Yearly Fund. And in Case the said Weekly Payments shall not amount to so much, then as far as they will extend shall be Part of the Yearly Fund, for and towards the answering and paying of the Annuities, and other Purposes in this Act after-mentioned. And in Case of Deficiency by the said Duties of Tonnage and Excise, to discharge and satisfy the Annuities and other Benefits and Advantages by this Act appointed, or intended to be paid within any one Year, to be reckoned as aforesaid; or if they shall not amount in their Weekly Payments to so much as 140000 *l.* within such Time, then the Deficiency shall be made good out of any Treasure or Revenue belonging to their Majesties, their Heirs or Successors; (not being appropriated to any particular Uses by any Act of Parliament) and that to be issued and paid without any farther or other Warrant, but to be done by Virtue of this Act, towards the discharging and paying off the said Annuities and Benefits, as together with the Monies brought into the said Receipt for the Duties hereby granted, shall compleatly pay off the same within the Year respectively grown due. And the Yearly Sum of 140000 *l.* arising by and out of the said Impositions and Duties hereby granted, shall be kept separate and apart in the Receipt of the Exchequer, to be paid from Time to Time unto such Person or Persons, and in such Manner, Proportion and Form as is herein after directed.

LXXXI. Their Majesties, by Commission under the Great Seal of *England*, may authorize and appoint any Number of Persons to take and receive all such voluntary Subscriptions as shall

be made on or before the first Day of *August*, 1694, by any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, for and towards the raising and paying into the Receipt of the Exchequer the Sum of 1200000 *l.* Part of the Sum of 1500000 *l.* And that the Yearly Sum of 100000 *l.* Part of the said Yearly Sum of 140000 *l.* arising by the said Duties and Impositions, shall be applied, issued and directed, and is hereby appropriated, to the Use of such Persons and Bodies Politick as shall make such voluntary Subscriptions and Payments, their Heirs, Successors or Assigns, in the Proportion hereafter mentioned; that is to say, that each Weekly or other Payment arising out of the Duties and Impositions by this Act granted, shall by the Auditor of the Receipt of Exchequer, from Time to Time, as the same shall be paid in, be separated and divided into five seventh Parts, and two seventh Parts, which is according to the Proportion of the said Yearly Sum of 100000 *l.* to the said Yearly Sum of 140000 *l.* which five seventh Parts of the said several Payments arising by the Duties of this Act, and so set apart, are appropriated towards the Payment of the said Yearly Sum of 100000 *l.* and shall from Time to Time be issued and paid to the Uses of the Subscribers and Contributors, towards the raising and paying into the Receipt of Exchequer the Sum of 1200000 *l.*

LXXXII. Their Majesties, by Letters Patents under the Great Seal, may limit, direct and appoint in what Manner and Proportions, and under what Rules and Directions, the said Sum of 1200000 *l.* and the said Yearly Sum of 100000 *l.* and every or any Part or Proportion thereof may be assignable or transferable, assigned or transferred to such Person or Persons only as shall freely and voluntarily accept of the same, and not otherwise, and to incorporate all and every such Subscribers and Contributors, their Heirs, Successors and Assigns, to be one Body Corporate and Politick, by the Name of Governor and Company of the Bank of *England*, and by that Name to have perpetual Succession, and a common Seal, and to be capable in Law to purchase or grant, to sue or be sued, or answer or be answered in Courts of Record, or any other Place; subject nevertheless to the Condition of Redemption hereafter mentioned.

LXXXIII. That in Case the whole Sum of 1200000 *l.* shall not be advanced and paid into the Receipt of Exchequer before the first of *January*, 1694, that then the Subscribers and Contributors towards the Sum of 1200000 *l.* their Heirs, Successors and Assigns, shall have and receive only so much and such Part and Portion to the Sums so respectively paid and advanced, as shall be after the Rate of 8 *l.* per Cent. per Ann. and that at any Time upon twelve Months Notice after the first of *August*, 1705, upon Re-payment by Parliament of the said Sum of 1200000 *l.* or such Part thereof as shall be paid and advanced, as aforesaid, unto the respective Subscribers and Contributors of the said Sum

of 1200000 *l.* or such Part thereof as shall be paid and advanced, their Heirs, Successors and Assigns, and of all the Arrears of the said Yearly Payments of 100000 *l.* or such proportionable Part thereof, according to the Sum which shall be paid and advanced: Then, and from thenceforward, the said Yearly Payments, and every of them, of 100000 *l.* or such proportionable Part, and every Part thereof, and the said Corporation shall absolutely cease and determine.

LXXXIV. The Commissioners of the Treasury, and the Under-Treasurer of the Exchequer now being, and the Lord High-Treasurer and Under-Treasurer, or Commissioners of the Treasury for the Time being, are by this Act required, without other or farther Warrant, to direct their Warrants Yearly for the Payment of the said Yearly Sums of 100000 *l.* to the Contributors of the said Sum of 1200000 *l.* in the Manner and Proportion as herein before directed; and the Auditor of Receipt of Exchequer, and all other Officers of the Exchequer, now and for the Time being, are enjoined to issue the said Monies so set apart for the Uses before-mentioned, without Fee or Reward, from Time to Time, in the Manner or Proportions before-mentioned, and under the like Penalties, Forfeitures and Disabilities, as are hereafter inflicted upon any Officer for diverting any Money appropriated by this Act.

LXXXV. No Person or Body Politick shall by themselves, or any other in Trust for him or them, subscribe towards the raising the Sum of 1200000 *l.* any Sum exceeding the Sum of 20000 *l.* and such Subscriber shall at the Time of such Subscription, pay to the Commissioners authorized to take Subscriptions, one full fourth Part of such Subscription, and in Default of Payment the Subscription to be void; and the Residue of the Subscriptions shall be paid into the Receipt of the Exchequer, as their Majesties shall direct, before the first of *January* next; and in Default of such Payments, then the fourth Part first paid shall be forfeited to and for the Benefit of their Majesties, their Heirs and Successors.

LXXXVI. No Person or Persons, or Body Politick, at any Time or Times before the first Day of *July* next ensuing, shall subscribe in his own Name or Names, or in any others in Trust for him or them, towards the raising of the Sum of 1200000 *l.* any Sum or Sums exceeding the Sum of 10000 *l.*

LXXXVII. In case the whole Sum of 1200000 *l.* or a Moiety thereof be not subscribed on or before the first of *August*, 1694. Then the Powers and Authorities in this Act for erecting a Corporation, as aforesaid, shall cease and determine; And in such Case, so much of the said yearly Sum of 100000 *l.* as shall belong to the said Subscribers, shall be transferrable, and may be transferred by the respective Persons so subscribing, and paying any Part of the same into the Exchequer, or their respective

Heirs,

Heirs, Successors and Assigns, to any Person or Persons whatsoever, by any Writing under the Hand and Seal of the Person or Persons transferring the same, attested by two or more credible Witnesses, and entered within twenty Days in a Book in the Exchequer by their Majesties Remembrancer; for the entering whereof nothing shall be paid, which Entries the said Remembrancer is from Time to Time upon Request directed to make; And such Part of the said yearly Sum of 100000 *l.* as shall be due to the Subscribers, shall not at any Time be made use of, or be a Fund or Security for, or applied to pay any other Sums of Money, save only such Money as shall, in Pursuance of this Act, be paid into their Majesties Exchequer within the Time by this Act limited.

LXXXVIII. The Corporation so to be made shall not borrow or give Security, under their Common Seal, for any more, farther or other Sum than 1200000 *l.* so that they shall not at any one Time owe more, unless it be by Act of Parliament, upon Funds agreed in Parliament; And in such case only such farther Sums as shall be directed and allowed to be borrowed by Parliament, and for such Time only until they shall be repaid; And if any more, farther or other Sums of Money shall be borrowed under the Common Seal, then, and in such Case, every Member or Members of the said Corporation, his and their respective Heirs, Executors and Administrators, shall, in his and their respective private and personal Capacities, be chargeable with, and liable in Proportion to their several Shares or Subscriptions, to the Repayment of such Monies, which shall be so borrowed, with Interest for the same: And in every such Case an Action of Debt may be maintained in any of their Majesties Courts of Record at *Westminster*, by the respective Creditor or Creditors to whom any such Security under the Common Seal of the said Corporation shall be made, against all and every, or any one or more of the Members of the said Corporation, their respective Heirs, Executors or Administrators, in Proportion to their respective Shares or Subscriptions; wherein Judgment may be recovered as if Security were given in their private Capacities; any Condition, Covenant or Agreement to the contrary notwithstanding: And if any such shall be made to the contrary, it is hereby declared void.

LXXXIX. The Corporation to be made shall not trade, or suffer any Person in Trust for them to trade with any of the Stock monies or Effects of the Corporation, in the buying or selling of any Merchandize or Goods whatsoever: And every Person so trading, or by whose Order such trading shall be made, shall forfeit treble the Value of the Goods and Merchandizes so traded for, to such Person as will sue for the same, in any of their Majesties Courts of Record at *Westminster*. But the

the Corporation may deal in Bills of Exchange, and in buying or selling Bullion, Gold or Silver, or in selling Goods mortgaged to them, and not redeemed at the Time agreed on, or within three Months after, or such Goods as shall be the Produce of Lands purchased by the Corporation.

XC. All Bills Obligatory and of Credit, under the Seal of the said Corporation, made to any Person or Persons, shall and may by Indorsement thereon under the Hand of such Person or Persons be assigned, and so *toties quoties*; and such Assignment shall transfer the Property and Right to the Bill and Monies due upon the same, and the Assignee may sue in his own Name.

XCI. If the Governor or other Members of the Corporation to be established, shall upon the Account of the Corporation, at any Time or Times, purchase any Lands or Revenues belonging to the Crown, or lend to their Majesties, their Heirs or Successors, any Sum of Money by way of Loan or Anticipation on any Part of the Revenue now granted, or hereafter to be granted, other than such Part only on which a Credit of Loan is or shall be granted by Parliament, then the said Governor or Members so consenting to lend, being thereof lawfully convicted, shall for every such Offence forfeit treble the Value of such Sum so lent, whereof one fifth Part shall be to the Informer, to be recovered in any of their Majesties Courts of Record at *Westminster*, and the Residue to be disposed of towards publick Uses, as shall be directed by Parliament, and not otherwise.

XCII. All Amerciaments, Fines and Issues against the said Corporation, upon Account of any Suits or Action to be brought against them, shall not be pardoned or discharged by any Letters of Signet, Privy Seal, or Great Seal, or otherwise. And if such be estreated into their Majesties Exchequer against the said Corporation, then the Officers of the Exchequer who are to pay the yearly Sum of 100000*l.* to the said Corporation, may out of that detain so much as the said Amerciaments, Fines or Issues amount unto.

XCIII. If any Person shall obtain a Judgment in any Court of Law against the said Corporation for any Debt or Sum of Money, and shall bring Execution thereupon unto the said Officers of the Exchequer, then the said Officers may pay, and are required to pay the Sum in the Execution mentioned, to the Plaintiff or Plaintiff therein named, or their Assigns, whose Receipt shall be a Discharge for the same; and the said Officers may detain so much of the yearly Sum of 100000*l.* as the Debt shall amount unto.

XCIV. Any Member of the House of Commons may be a Member of this Corporation.

XCV. In case the whole Sum of 1200000*l.* shall not be subscribed and paid into the Exchequer, then so much of the said yearly Sum of 100000*l.* hereby intended to answer the Recom-

pence for the same, as by such Deficiency shall by this Act be undisposed, is hereby appropriated, so far as the same shall amount, to pay any Person and Persons who shall advance and pay any Sums of Money into the Exchequer, before the first of February, 1694, on Account to have an Annuity or Annuities for one, two or three Lives, such respective Sums for such respective Life or Lives, according to such Rate and Proportion, and for such Time and under such Rules and Directions as are herein before contained, with Relation to such as shall advance and pay the said 300000 l.

XCVI. If the whole Sum of 1500000 l. be not paid into the Exchequer upon this Act before the first of October, 1694. then their Majesties or their Officers in the Receipt of the Exchequer by their Command and Appointment, may borrow for their Majesties Use, by way of Loan, any Sum or Sums, which together with the Value of the Sums before the said first of October contributed, shall not exceed the Sum of 1500000 l. which Sum or Sums so taken by way of Loan, may be charged upon the Credit of their Majesties Exchequer in general, and Tallies of Loan and Orders of Repayment shall be levied and drawn accordingly, which Orders shall be assignable and transferrable: All Sums of Money so borrowed, not exceeding, as aforesaid, together with Interest for the same, not exceeding 8 l. per Cent. per Annum, to be paid every three Months, until Satisfaction of the Principal shall be payable, and satisfied to the Lender or Lenders, his, her or their Executors, Administrators or Assigns, out of the Monies brought into the Exchequer by Contributions upon this Act, so far as the same shall extend. And in case they be not sufficient, then the Loans which shall remain unsatisfied, and their Interest, shall be repaid out of the next Aids or Supplies granted in Parliament, and shall be transferred thereunto as soon as any such Aid or Supply shall be granted to their Majesties: And if no such Aids or Supplies be granted before the 2 d. of February, 1694, then the Sums so borrowed, and their Interest, shall be paid out of their Majesties Treasure, not appropriated to any particular Use by Act of Parliament before this Time made.

XCVII. That out of the Money to be levied by this Act, or another Act of this present Session of Parliament, Intituled, *An Act for granting to their Majesties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of 1000000 l. towards carrying on the War against France*, or any other Act of this present Session of Parliament, by which any Aids shall be granted to their Majesties, towards the carrying on the said War, and which shall be paid into the Exchequer, as well upon Loans as otherwise, (except only the Money appropriated to pay the Recompences in this and

and the before-recited Act) the Sum of 1500000 *l.* (over and above the Sum of 1000000 *l.* appropriated by an Act of this present Session of Parliament, Intituled, *An Act for granting to their Majesties an Aid of four Shillings in the Pound for one Year, for carrying on a vigorous War against France,*) is appropriated for the Services of the Navy and Ordnance performed and to be performed: And that all other Monies to be paid by this, or any other Act of this present Session of Parliament, not appropriated to the Use of the Navy, or to pay the Recompences aforesaid into the Receipt of the Exchequer, as well upon Loans as otherwise, shall be appropriated to the Payment of their Majesties Land Forces and Armies, Ordnance, Ammunition and other Charges incident to the War, and not otherwise. See Title *Annuities. Sect. 26.*

XCVIII. The Half of the Money paid into the Receipt of the Exchequer by this Act, or any other of this present Session of Parliament (except the Act for granting an Aid of four Shillings in the Pound for one Year, &c. and except what is appropriated to pay the Recompences aforesaid) and except also one other Act, Intituled, *An Act to supply the Deficiency of the Monies raised by a former Act, Intituled, An Act for granting to their Majesties certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, for securing certain Recompences and advantages in the said Act mentioned, &c.)* shall be applied to answer the said Sum of 1500000 *l.* hereby appropriated to the Use of the Navy, until the same shall be paid.

XCIX. That out of the Sum of 1500000 *l.* and out of the Sum of 1000000 *l.* appropriated for the Use of the Navy, the Sum of eleven hundred fifty six thousand nine hundred ninety four Pounds shall be applied to pay Wages to Officers and Seamen, and other Services belonging, according to the Course of the Navy, to the Head of Wages, and to pay the Officers and Soldiers of the two Marine Regiments. And that twelve hundred fifty seven thousand two hundred sixty and six Pounds be applied to pay for Victuals, necessary Provisions and Stores, and other extraordinary Services of the Navy and Ordnance; eighty five thousand seven hundred and forty Pounds to pay the Wages of the Yards, and other ordinary Services of the Navy.

C The Rules and Directions appointed in one Act made in the first Year of their Majesties Reign, Intituled, *An Act for a Grant to their Majesties of an Aid of two Shillings in the Pound for one Year, for the speedy Payment of Money thereby granted, into the Receipt of the Exchequer, by the Collectors and Receivers, and of the Distribution and Application thereof, and keeping distinct Accounts of the same, and all the Penalties and Forfeitures in case of Diversion of any Money thereby appropriated, are hereby revived, and enacted to be executed, and put in use concerning the Distribution and Application of the said Sums hereby*

by appropriated, as fully and effectually as if the same were here particularly repeated and re-enacted.

CI. The Commissioners of the Customs from and after the End of this Session of Parliament, shall mark and seal, or cause to be marked and sealed, all Lustrings and Alamodes which are now imported, and in the Hands of any Person or Persons whatsoever, and also all the said Silk-Stuffs so called, which shall hereafter be imported, and keep an Entry and Registry thereof in the Custom house in a Book for that Purpose provided. Those imported already to be so marked, sealed or registred within twenty Days of the said Time, for which there shall be no Fee or Reward paid; and those hereafter imported from the Time aforesaid, to be so marked, sealed and registred, without any Fee, before they be delivered out of the Custom-house Warehouse. And all Lustrings and Alamodes imported after the 15th Day of May, 1694, and not so sealed and marked, shall be forfeited, and the Importers or Possessors thereof subject to such and the like Penalties and Forfeitures, as Importers of *French Goods*, by one Act made in the first Year of their Majesties Reign, intituled, *An Act for prohibiting all Trade and Commerce with France*, to be recovered as therein directed: And if any Person or Persons shall alter or counterfeit the Marks or Seals used for that Purpose, the Offender shall forfeit 500 *l.* to any that will sue for the same in any of their Majesties Courts of Record at Westminster.

CII. Whereas it is enacted in one Act of this present Session of Parliament, intituled, *An Act for granting to their Majesties an Aid of four Shillings in the Pound for one Year, &c.* that over and above the Ships of War for the Line of Battel, and for Convoys to remote Parts, at the least four Ships of the third Rate, and sixteen of the fourth Rate, thirteen of the fifth Rate, and ten of the sixth Rate, shall be from Time to Time directed and appointed by the Lord High Admiral, or the Commissioners for executing that Office, to such proper Stations as they shall deem meet, to cruise for securing Merchants Ships in their going out and returning Home; the Lord High Admiral for executing that Office, shall exhibit to the Commons assembled in Parliament, at the next Session of this or any other Parliament, which shall happen after the first of August, 1694, a Certificate in Writing under his or their Hands respectively, of the Ships set out, in Pursuance of the said recited Clause, expressing therein the Names and Rates of the Ships set out, the Times when ordered, as also the Stations to which they were directed, and the Times how long they were continued at Sea in that Service. See Part of this Act, Title Annuities, Sect. 26, &c. See Annuities, Sect. 55, &c.

An Act for Parchment, &c.

CIII. Stat. 5 & 6 W. & M. cap. 21. From the 28th of June, 1694. shall be paid the several Duties upon Vellum, Parchment and Paper for four Years thence ensuing, *viz.* For every Skin or Piece of Vellum or Parchment, on which any Grants or Letters Patent under the Great Seal of *England*, or the Seal of the Dutchy or County-Palatine of *Lancaster*, or of any Honour, Dignity, Promotion, Franchise, Liberty or Privilege, to any Person or Persons, Bodies Politick or Corporate, or Exemplifications of the same, shall be engrossed or written, the Sum of 40 s.

CIV. For every Skin or Piece of Vellum, Parchment, or Sheet of Paper, on which are engrossed or written any Pardon of any Crime, or of any Money or Forfeiture, or of any Warrant or Reprieve, or Relaxation from any Fines, Corporal Punishments, or other Forfeiture, shall be paid 40 s.

CV. For every Skin, &c. upon which any Grant from their Majesties of any Sum of Money not exceeding 100 l. which shall pass the Great Seal or Privy Seal (not directed to the Great Seal) shall be engrossed or written, 40 s.

CVI. For every Skin, &c. upon which any Grant of any Office or Employment which shall be above the Value of 50 l. *per Annum*, shall be ingrossed or written, 40 s.

CVII. For every Skin, &c. upon which any Grant of Lands in Fee, Lease for Years, or other Grant of Profit not herein particularly charged, that shall pass the Great Seal, Exchequer-Seal, Seal of the Dutchy or County-Palatine of *Lancaster*, or Privy Seal (not directed to the Great Seal) shall be engrossed or written, 40 s.

CVIII. For every Skin, &c. upon which any Presentation or Donation under the Great Seal, Collation by Archbishop or Bishop, Presentation or Donation by any Patron, to any Benefice, Dignity or Spiritual Promotion, (such Benefice, Dignity, or Spiritual Promotion being 10 l. Value or above in the King's Books) shall be ingrossed or written, 40 s.

CIX. For every Skin, &c. on which any Register, Entry, Testimonial or Certificate of any Degree taken in the Universities or Inns of Court, shall be ingrossed or written, 40 s.

CX. For every Skin, &c. on which any Dispensation to hold two Ecclesiastical Dignities or Benefices, or both a Dignity and a Benefice, or any other Dispensation or Faculty, from the Archbishop of *Canterbury*, or the Master of the Faculties, shall be ingrossed or written, 40 s.

CXI. For every Skin, &c. on which an Admittance of any Fellow of the College of Physicians, or of any Attorney, Clerk, Advocate,

Advocate, Proctor, Notary, or other Officers in any Court whatsoever, shall be ingrossed or written, 40 s.

CXII. For every Skin, &c. on which any Appeals from the Court of Admiralty, Arches, Prerogative, Court of *Canterbury* or *York*, shall be ingrossed or written, 40 s.

CXIII. For every Skin, &c. on which any Conveyances, Surrenders of Grants or Offices, Release, or other Deed whatsoever, inrolled in any Court of *Westminster*, or other Court of Record, or by any *Custos Rotulorum*, or Clerk of the Peace, shall be ingrossed or written, 5 s.

CXIV. For every Piece, &c. on which any Writ of Covenant for levying of Fines, or Writs of Entry for suffering Recoveries, shall be ingrossed or written, 5 s.

CXV. For every Skin, &c. on which any Exemplification of whatever Nature, that shall pass the Seal of any Court whatsoever, shall be ingrossed or written, 5 s.

CXVI. For every Skin, &c. on which any Decree or Dismission made by, or in the Chancery, Exchequer, Dutchy-Court, or Courts of *Lancaster*, *Chester*, *Durham*, or other Courts of Equity, shall be written or ingrossed, 5 s.

CXVII. For every Skin, &c. on which any Institution or Licence under Seal of any Archbishop, Bishop, Chancellor, or other Ordinary, or any Ecclesiastical Court, shall be written or ingrossed, 5 s.

CXVIII. For every Skin, &c. on which any Writs of Error, *Certiorari's*, *Habeas Corpus's*, or Appeals, (except to the Delegates) shall be written or ingrossed, 5 s.

CXIX. For every Skin, &c. on which any *Significavit pro corporis deliberatione*, shall be written or ingrossed, 5 s.

CXX. For every Skin, &c. on which any Sentence in the Court of the Lord High Admiral, or Cinque-Ports, exercising Admiralty-Jurisdiction, Attachments out of the said Court of Admiralty, or any Relaxation of any such Attachment, shall be ingrossed or written, 5 s.

CXXI. For every Skin, &c. on which any Licence or Certificates of Marriage, or Letters of Mart, shall be ingrossed or written, 5 s.

CXXII. For every Skin, &c. on which any Probate of Wills, or Letters of Administration for any Estate above 20 l. Value, shall be written or ingrossed, 5 s.

CXXIII. For every Skin, &c. on which any Recognizance, Statute-Staple or Merchant, shall be ingrossed or written, or entered of Record in any Court of Office, 5 s.

CXXIV. For every Skin, &c. on which any Record of *Nisi prius* or *Postea*, shall be ingrossed or written, 2 s. 6 d.

CXXV. For every Skin, &c. on which are ingrossed or written any Judgments which shall be signed by any Member of the Office of Prothonotaries, their Deputies, Secondaries or Clerks,

Clerks, or others belonging to any the Courts of *Westminster*, who have Power, or usually do or shall sign Judgments, 2 s. 6 d.

CXXXI. For every Skin, &c. on which any Commission out of any Ecclesiastical Court (not herein otherwise particularly charged) shall be written or ingrossed, 2 s. 6 d.

CXXXII. For every Skin, &c. on which are ingrossed or written any Warrant, Monition, or personal Decree in any Court of Admiralty, or Cinque-Ports, any beneficial Warrant or Order under their Majesties Sign-Manual (except Warrants or Orders for the Navy, Arms and Ordnance) 2 s. 6 d.

CXXXIII. For every Piece, &c. on which are ingrossed or written any special Bail in any of the Courts at *Westminster*, or before a Judge, which shall be filed in the Court, and also Appearances thereof, 1 s.

CXXXIX. For every Skin, &c. on which shall be ingrossed or written any Bill, Answer, Replication, Rejoinder, Interrogatories, Depositions taken by Commission, or any other Pleadings whatsoever in the Chancery, Exchequer, Dutchy, and County-Palatine Courts, or other Courts of Equity, 1 s.

CXXX. For every Skin, &c. on which any Admission into a Corporation or Company, Matriculation in either University, Admission into any of the Inns of Court or Chancery, shall be written or ingrossed, 1 s.

CXXXI. For every Piece, &c. on which any Affidavit shall be ingrossed or written (except for burying in Woollen, and such Affidavits as shall be taken before the Officers of the Customs, or any Justice of Peace, or any Commissioner appointed, or to be appointed, by any Act of Parliament for the assessing and levying any Duties or Aids granted, or to be granted to their Majesties, which Affidavits shall be taken by the said Persons, by Virtue of their Authorities respectively) 6 d.

CXXXII. For every Piece, &c. on which are ingrossed or written Copies of Affidavits (herein charged) that shall be read or filed in any Court, 6 d.

CXXXIII. For every Skin, &c. on which are ingrossed or written any Indenture, Lease or Deed-Poll (not hereby otherwise charged) 6 d.

CXXXIV. For every Piece, &c. on which any original Writ (except such on which a *Capias* issues) *Subpoena*, Bill of Middlesex, *Latitat*, Writ of *Capias*, *Quo minus*, *Deamus potestatem* to take Answers, examine Witnesses, or appoint Guardians, or any other Writ, Process or Mandate that shall issue or pass under the Seals in any Court at *Westminster*, or Quarter-Sessions in *Wales*, Counties-Palatine, or any other Court whatsoever, holding Plea, where the Debt or Damage amounts to 40 s. or above, or the Demand is of the Value, shall be ingrossed or written, 6 d.

CXXXV. For every Piece, &c. on which any Entry of any Action in the Mayor's or Sheriffs Courts, *London*, and in all other Courts

or

or Corporations, out of which no Writs, Process or Mandate issue, holding Plea for Debts or Damages amounting to 40 s. or above, shall be ingrossed or written, 6 d.

CXXXVI. For every Piece, &c. on which are ingrossed or written any common Bail to be filed in any Court, and any Appearance that shall be made upon such Bail, 6 d. Which Appearance or common Bail the Defendant shall cause to be entred or filed within eight Days after the Return of the Process on which the Defendant was to be arrested, on Penalty of 5 l. to be paid to the Plaintiff, for which the Court shall immediately award Judgment, and the Plaintiff may take out Execution.

CXXXVII. For every Piece, &c. on which any Rule or Order made in any of the Courts at *Westminster*, either Courts of Law or Equity, shall be ingrossed or written, 6 d.

CXXXVIII. For every Piece, &c. on which any Copy of such Rules and Orders entred, or the Copies of any other Records or Proceedings in any of the Courts at *Westminster*, not hereby otherwise charged, shall be ingrossed or written, 6 d.

CXXXIX. For every Skin, &c. on which any Citation or Monition made in any Ecclesiastical Court, any Libel or Allegation, Deposition or final Decree, or any Inventory exhibited in any Ecclesiastical Court, Courts of Admiralty, or Cinque-Ports, or Copies of them respectively, shall be ingrossed or written, 6 d.

CXL. For every Skin, &c. on which any Charter-Party, Policy of Assurance, Passport, Bond, Release, Contract, or other obligatory Instrument, any Protest, Procuracion, Letter of Attorney, or any other Notarial Act whatsoever, shall be ingrossed or written, 6 d.

CXLI. For every Skin, &c. on which any Declaration, Plea, Replication, Rejoinder, Demurrer, or other Pleadings whatsoever in any Court of Law, shall be ingrossed or written, 1 d.

CXLII. For every Skin, &c. on which any Copies thereof shall be ingrossed or written, 1 d.

CXLIII. For every Skin, &c. on which any Depositions taken in the Court of Chancery, or other Court of Equity (except the Paper-Draughts taken by the Commissioners before they are ingrossed) which are not herein before charged, or upon which any Copy of any Bill, Answer, Plea, Demurrer, Replication, Rejoinder, Interrogatories, Depositions, or other Proceedings whatsoever, in any Court of Equity, shall be ingrossed or written, 1 d.

CXLIV. For every Skin, &c. on which a Copy of any Will shall be ingrossed or written, 1 d.

CXLV. From and after the 28th of *June*, 1694, every Officer or Clerk belonging to the King's Bench, Common-Pleas, or Exchequer, who shall sign any Warrant or Process before Judgment, to arrest any Person thereupon, shall at the signing thereof set down upon such Writ or Process the Day and Year of his

signing the same, which shall be entred upon the Remembrance, or in the Book where the Abstract of such Writ or Process shall be entred, upon the Forfeiture of 10 l.

CXLVI. This Act shall not charge any Bills of Exchange, Accompts, Bills of Parcels, Bills of Fees, or any Bills or Notes (not sealed) for Payment of Money at Sight, or upon Demand, or at the End of certain Days of Payment.

CXLVII. Neither shall it charge the Probate of any Will, or Letters of Administration of any common Seaman or Soldier, who shall be slain, or die in their Majesties Service, upon Certificate made thereof.

CXLVIII. None of the Rates or Impositions in this Act expressed shall be paid or payable to their Majesties by any Person or Persons that shall be admitted to sue or defend *in Forma Pauperis*.

CXLIX. Their Majesties may, under the Great Seal of England, appoint Commissioners and Officers for the executing of this Act. who are to keep their Head Office in some convenient Place within the Cities of London or Westminster; which said Commissioners, or the major Part, are also empowered under their Hands and Seals to appoint inferior Officers for the marking or stamping of Vellum, Parchment and Paper, and for levying and collecting the Duties: And the said Commissioners shall, before the 28th Day of June 1694, provide six several Marks or Stamps, differing from each other, with which all Vellum, Paper and Parchment, herein before charged, shall be ingrossed or written, shall be stamp'd or ingrossed, *viz.* one Stamp for the Vellum, Parchment and Paper, charged with the Payment of 40 s. for every Skin, Piece or Sheet, shall be stamp'd or mark'd; one other Stamp or Mark, with which all Vellum, Parchment and Paper, herein before charged with the Payment of 5 s. for every Skin, Sheet, or Piece, as aforesaid, shall be mark'd or stamp'd, and so respectively a different Mark or Stamp, with which all Vellum, Parchment and Paper, herein before charged with the several Duties of 2 s. 6 d. 1 s. 6 d. and 1 d. shall be severally and differently mark'd and stamp'd; which said several Marks and Stamps shall be published by Proclamation under the Great Seal a convenient Time before the said 28th Day of June to the End all Persons may have due Notice thereof: And the said Marks and Stamps may be altered or renewed as their Majesties shall think fit, publick Notice being given thereof by Proclamation.

CL. All Vellum, Parchment and Paper, hereby intended to be charged with the several and respective Duties aforesaid, shall before any thing ingrossed or written thereon, be brought to the Head Office, or some other Sub-Commissioner or Officer to be appointed for the same, to be stamped and marked, who, upon Demand, shall stamp or mark it, upon Payment of the respective Duties.

Duties, without other Fee; which Stamp or Mark shall be a sufficient Discharge for the respective Duties aforesaid.

CL. If any Commissioner or Officer shall fix the Mark or Stamp before the respective Duties thereon charged shall be duly paid or secured, he shall forfeit for every such Offence 100 l.

CLII. If any Person shall ingross or write, or cause to be ingrossed or written, upon any Vellom, Parchment or Paper, any thing for which the said Vellom, &c. is hereby charged, before it shall be mark'd or stamp'd, as aforesaid, or upon which there shall not be some Stamp or Mark resembling the same, or shall ingross or write upon any Vellom, Parchment or Paper that shall be marked or stamped, for any lower Duty than the Duty by this Act payable, the Offender for every such Offence shall forfeit 500 l. Reduced to 5 l. by a subsequent Act.

CLIII. If any Clerk or Officer, who in respect of his publick Office or Employment is or shall be entitled or intrusted to make, ingross or write any Records, Deeds, Instruments or Writings by this Act chargeable, as aforesaid, shall be guilty of any Fraudulent Practice, by making, ingrossing or writing any such Record, Deed, Instrument or Writing upon Vellom, Parchment or Paper not marked, or upon which there shall not be some Stamp or Mark resembling the same, or upon Vellom, Parchment or Paper stamped with this Mark or Stamp, which he shall know to be counterfeited, or upon Vellom, Parchment or Paper that shall be mark'd or stamp'd for a lower Duty, as aforesaid, every such Officer, &c. so guilty, and thereof lawfully convicted, shall forfeit (over and above the Penalty aforesaid) his Office, Place or Employment: And if any Attorney shall be guilty thereof, and convicted, he shall be disabled for the future to practise as Attorney. And if any Deed, Instrument or Writing shall be written or ingrossed by any Person (not being a known Officer, or of publick Employment, entitled to write or ingross the same) upon Vellom, Parchment or Paper not marked or stamped according to this Act, or of a lower Duty, as aforesaid, in every such Case there shall be due to their Majesties, over and above the Duties aforesaid; the Sum of 5 l. for every such Deed; and such Deed or Record shall be pleaded or given in Evidence in any Court either of Law or Equity till the said 5 l. be paid, and the said Vellom, Parchment or Paper be stamp'd with a lawful Mark, which the Officer is to do upon Payment of the said 5 l. And if any Person shall counterfeit or form any Stamp or Mark resembling any Stamp provided by this Act, or shall counterfeit or resemble the Impression of the same upon any Vellom, Parchment or Paper, to defraud their Majesties of the Duties hereby granted, or shall utter or sell any Vellom, Parchment or Paper with such counterfeit Mark or Impression, knowing such Mark or Impression to be counterfeit, then every such Person so

offending, being thereof legally convicted, shall suffer Death as a Felon, without Benefit of Clergy.

CLIV. The Commissioners to appoint a fit Person to attend in any Court or Office, to take Notice of the Vellom, Parchment or Paper, upon which any thing aforesaid shall be ingrossed or written, and of the Marks and Stamps thereupon, and all other Things tending to secure the Duties arising by this Act: And the Judges in the several Courts to make good Orders for securing the said Duties: And all Persons commissioned by this Act, and every Person employed under them for the marking or stamping of Vellom, Parchment or Paper, as aforesaid, before his acting in marking or stamping of the same, shall take the Oath following, viz.

I A. B. do swear, That I will faithfully execute the Trust reposed in me, pursuant to an Act of Parliament, intituled, An Act for granting to their Majesties several Duties upon Vellom, Parchment and Paper for four Years, towards carrying on the War against France, without Fraud or Concealment; and shall from Time to Time true Account make of my doing therein, and deliver the same to such Person or Persons as their Majesties, their Heirs or Successors, shall appoint to receive such Account; and shall take no Fee, Reward or Profit for the Execution or Performance of the said Trust, or the Business relating thereunto, from any Persons other than such as shall be paid, or allowed by their Majesties, their Heirs or Successors, or by the Commissioners of their Majesties Treasury, or three of them now being, or by the Treasurer of the Exchequer, or three or more of the Commissioners of the Treasury for the Time being.

CLV. The Commissioners are to take special Care that the several Parts of this Kingdom, *Wales* and *Berwick*, shall be furnished with Vellom, Parchment and Paper stamp'd, so as Persons may have their Election, either to buy the same of the Officers, or Persons to be employed by the Commissioners, or to bring their own Vellom, Parchment or Paper to be stamp'd.

CLVI. All Records, Writs, Pleadings, and other Proceedings in Courts of Law and Equity, and all Deeds, Instruments and Writings whatsoever hereby charged, shall be ingrossed and written in such manner as they have been usually accustomed to be written, or are now written.

CLVII. As often as their Majesties shall think fit to alter or renew the said Marks or Stamps, then they unto whom any blank Vellom, Parchment or Paper inrolled with the old Stamp, within sixty Days after such Intention of altering shall be published by Proclamation, may bring it to the respective Officers to be appointed, as aforesaid, who shall deliver the like Quantity of Vellom, Parchment or Paper, and as good, stamp'd with the new Stamp, without Fee, under the Penalty of 100*l.* And that

which

which shall not be brought in, in the Time aforesaid, the same shall be of no other Effect than if it had been never stamp'd: And all Persons who shall ingross or write any Matters chargeable by the Act, on such Vellom, Parchment or Paper after that Time, shall forfeit as those that write or engross on Vellom, &c. unstamp'd at all:

CLVIII. The Proclamation for giving Notice for the altering the Stamps, shall within twenty Days after the Date thereof, be sent to the Mayor, Chief Magistrate, or other Head Officer of every City, Corporation, Borough or Market-Town, which Officers shall cause the same to be published to the respective Inhabitants, either on the next Market-day, or the next Sunday in the Church, immediately after Divine Services, under the Penalty of 200 l.

CLIX. And it shall be lawful for any Person, Native or Foreigner, Body Politick or Corporate, to lend to their Majesties, upon the Credit of this Act, any Sum not exceeding the Sum of 330000 l. and to receive Interest for the same, not exceeding the Rate of 8 l. per Cent. per Ann. Continued per Stat. 8 & 9 W. 3. c. 20. till 1 August 1706, except where altered by any other Act. Doubled per 9 & 10 W. 3. cap. 25. See after 8 & 9 W. 3. c. 506. &c. Continued per 1 Ann. cap. 13. till 1 August 1710. Vide Deficiencies, 10. Continued per 5 Ann. cap. 19. See Annuities, 113. from the first of August 1710. for 95 Years.

Anno 5 & 6 W. & M. cap. 22. *An Act for the licensing and regulating Hackney-Coaches and Stage-Coaches.* Vide Coaches.

Anno 6 W. & M. cap. 1. *An Act for granting to their Majesties a Subsidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported.* Vide Customs.

CLX. Stat. 6 W. 3. cap. 3. An Act for granting to his Majesty an Aid of four Shillings in the Pound for one Year, and for applying the yearly Sum of 300000 l. for five Years out of the Duties of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes exported and imported, for carrying on the War against France with Vigour. By four quarterly Payments, the first whereof to be made on the 25th Day of March, 1695. To be executed by the Commissioners named in the Act, and the Assessors to be sworn.

CLXI. Over and above the Ships of War for the Line of Battel and Convoys to remote Parts, four Third-Rates, sixteen Fourth-Rates, thirteen Fifth-Rates, and ten Sixth-Rate Ships, shall be appointed by the Admiralty as Cruisers for Security of Trade.

CLXII. Which Cruisers may be however employed in the Line of Battel in Cases of great Necessity.

Anno 6 & 7 W. & M. cap. 5. *En Act for enabling such Persons as have Estates for Life in Annuities, payable by several former Acts therein mentioned, to purchase or obtain further or more certain Interests in such Annuities; and in Default thereof, for admitting other Persons to purchase or obtain the same, for raising Monies for carrying on the War against France. Vide Annuities.*

CLXIII. Stat. 6 & 7 W. 3. cap. 6. Enacted, That from and after the first of May, 1695, for the Term of five Years, and no longer, there shall be raised, levied and paid to the King, &c. for and upon Burials, for every Person buried in England, Wales and Berwick, the following Duties, viz. for every Person 4 s.

And over and above the said 4 s.

For every Duke of England, Scotland, and	}	l.	s.	d.
Ireland				
		50	0	0

For every Dutchess the like Sum

For every Marquess or Marchioness ————— 40 0 0

Earl or Countess ————— 30 0 0

Viscount or Viscountess ————— 25 0 0

Baron or Baroness ————— 20 0 0

Eldest Son of a Duke, or his Wife ————— 30 0 0

Younger Son of a Duke, or his Wife ————— 25 0 0

Eldest Son of a Marquess, or Wife ————— 25 0 0

Younger Son of a Marquess, or Wife ————— 20 0 0

Elder Son of an Earl, or Wife ————— 20 0 0

Younger Son of an Earl, or Wife ————— 15 0 0

Eldest Son of a Viscount, or Wife ————— 17 10 0

Younger Son, or Wife ————— 13 6 0

Eldest Son of a Baron, or Wife ————— 15 0 0

Younger Son, or Wife ————— 12 0 0

Every unmarried Daughter of a Duke ————— 25 0 0

Of a Marquess ————— 20 0 0

Of an Earl ————— 15 0 0

Of a Viscount ————— 13 6 0

Of a Baron ————— 12 0 0

For every Widow of a Duke ————— 50 0 0

Of a Marquess ————— 40 0 0

Of an Earl ————— 30 0 0

Of a Viscount ————— 25 0 0

Of a Baron ————— 20 0 0

For every Baronet, or Wife ————— 15 0 0

Knight of the Bath, or Wife ————— 15 0 0

Knight-Bachelor, or Wife ————— 10 0 0

King

All which Monies are to be paid by the Heirs, Executors or Administrators of the Persons buried, before any other Debts and Duties whatsoever; and for Persons under Age, by the Father, Mother, Guardian, &c. And for a Wife by the Husband.

CLXIV. For all Births within the said Time, the Duties following, &c.

For every Child (except of such as receive Alms) 2 s. and over and above,

		<i>l.</i>	<i>s.</i>	<i>d.</i>
For a Duke's (or Dutcheſs's)	Eldest Son ————	30	0	0
after his Death, by other	Younger Son or	} 25	0	0
Husband)	Daughter ————			

For a Marqueſs's or his	Eldest Son ————	25	0	0
Wife's, <i>ut ſupra</i> ,	Younger Son or	} 20	0	0
	Daughter ————			

For an Earl's, or his	Eldest Son ————	20	0	0
Wife's, <i>ut ſupra</i> ,	Younger Son or	} 15	0	0
	Daughter ————			

Viſcount's and Wife's,	Eldest Son ————	17	10	0
<i>ut ſupra</i> ,	Younger Son or Daughter —	13	6	8

Baron's and his Wife's,	Eldest Son ————	15	0	0
<i>ut ſupra</i> ,	Younger Son or	} 12	0	0
	Daughter ————			

Baronets, Bath Knights,	Eldest Son ————	05	0	0
and other Knights,	Younger Son or	} 01	0	0
	Daughter ————			

Serjeants at Law, Eſquires, Gentlemen, for	} 01	0	0
Eldest and Younger Sons and Daughters, each ————			

For and upon the Birth of every Son or Daughter of an Archbiſhop, Biſhop, Dean, Arch-Deacon, Canon, Prebendary, Doctor of Divinity, Law or Phyſick ————	} 01	0	0

And for every other Perſon, having a real Eſtate of 50 l. <i>per Annum</i> , or perſonal of 600 l. upon the Birth of every Son or Daughter ————	} 00	10	0

To be paid by the Father, Mother, or Guardian, &c.

CLXV. For Marriages, within the said Time, the Duties following ;

For the Marriage of every Person (except such as receive Alms) the Sum of a s. 6 d. And over and above,

	l.	s.	d.
Of every Duke	50	0	0
Marquess	40	0	0
Earl	30	0	0
Viscount	25	0	0
Baron	20	0	0
Every Eldest Son of a Duke	30	0	0
Younger Son	25	0	0
Eldest Son of a Marquess	25	0	0
Younger Son	20	0	0
Earls Sons	3 Eldest Younger		
	20	0	0
	15	0	0
Viscounts Sons	3 Eldest Younger		
	17	0	0
	13	6	8
Barons Sons	3 Eldest Younger		
	15	0	0
	12	0	0
Baronets, and Knights of the Bath	15	0	0
Knights-Bachelors	10	0	0
King's Serjeant at Law	20	0	0
Other Serjeant at Law	15	0	0
Every Esquire, or so reputed	05	0	0
Every Gentleman, or so reputed	01	0	0
Younger Sons of Baronets, Knights, Serjeants,	3 Esquires and Gentlemen		
	01	0	0
Every Archbishop	50	0	0
Bishop	20	0	0
Dean	10	0	0
Archdeacons and Prebendaries	02	10	0
Doctors of Divinity, Law and Physick	05	0	0

Every

Every Son of an Archbishop, Bishop, Dean, } *l. s. d.*
 Archdeacon, Prebendary, Doctor of Divi- } 01 0 0
 nity, Law and Physick.

Of every Person having 50 *l. per Annum* or }
 600 *l. personal Estate* ————— } 01 0 0

And of the Sons of such ————— 00 10 0

To be paid by the Husband upon Demand.

CLXVI. Every Batchelor above the Age of twenty-five (except such as receive Alms) so long as he continues a Batchelor; and every Widower, having no Child or Children (except such as receive Alms) so long as he continues a Widower, shall pay 1 *s.* yearly, and over and above, the fourth Part of what is to be paid for his Burial, (*viz.* a Knight, 2 *l. 10 s.* Esquire, 1 *l. 5 s.* Gentleman, 5 *s.* &c.) to be paid at two equal Payments, Half-yearly, at *Michaelmas* and *Lady-Day*.

CLXVII. No Person to be charged in Respect of several Titles or Degrees, but only for that which is highest rated.

CLXVIII. Commissioners for the Land-Tax granted this Session, shall be Commissioners for executing of this, who are to meet on or before the 30th of *April*, 1695, and proceed as in the Act directed.

CLXIX. Assessors and Collectors shall be appointed for the first Year, for whose Payment of such Monies as they shall be charged withal, the Parish by whom they are impowered shall be answerable.

CLXX. The Assessors shall be sworn to cause the Rates and Duties imposed by this Act to be duly and impartially assessed, according to the best of their Skill and Knowledge.

CLXXI. Which Rates and Assessments shall be ascertained, and the Certificates returned to the Commissioners, before the 13th Day of *May* following.

CLXXII. The respective Sums of Money are to be demanded by the Collectors within ten Days after they become due, and by them paid to the Receivers-General within twenty Days after the Receipt.

CLXXIII. The Receivers-General are to pay in the Monies by them received into the Exchequer half-yearly, at *Michaelmas* and *Lady-Day*, or oftner, if required by the Commissioners of the Treasury.

CLXXIV. Three or more Commissioners suspecting Persons to be under-charged, may summon and examine the Parties themselves, and by all lawful Means enquire into the Ranks and Estates of Persons charged by this Act, and set such Rates upon them as are agreeable to the true Intent of this Act.

CLXXV. Re-

CLXXXV. Receivers General to have two Pence, Collectors three Pence, and Commissioners Clerks one Penny *per* Pound for their Pains.

CLXXXVI. Distress for Non-payment on Demand. Lawful in the Day-time to break open any House, Chest, Trunk, &c. in the Presence of a Constable, &c. Where no Distress is to be had, the Non-payment for ten Days, the Person to be committed by Warrant of two or more Commissioners or Justices of Peace, to the Common Goal, without Bail, until Payment.

CLXXXVII. Person aggrieved in their Rates, may be, within ten Days after Assessment, relieved, being first examined upon Oath.

CLXXXVIII. Justices of Peace in their several Counties are to be Commissioners for the Execution of this Act, during the last four Years.

CLXXXIX. Collectors at their Year's End shall make a fair Transcript of the Duties arising within their Limits, which with the Names of two other fit Persons to succeed in their Office, they shall deliver to two or more Justices of Peace, who shall place the two Persons thought fit to succeed, in the Office of Collectors for the ensuing Year.

CLXXX. Parsons, &c. to read the Rates and Assessments once *per Annum* on a Sunday, immediately after Morning Prayer, under the Penalty of 5 *l*.

CLXXXI. Justices of Peace during the last four Years, to revise the Rates at Quarter-Sessions, upon Appeal.

CLXXXII. Appeals once heard shall be final.

CLXXXIII. All Persons in Holy Orders shall in their respective Parishes, keep a Register-Book of all Persons buried, christened or born in their respective Precincts, to which the Collectors and all Persons concerned shall have free Access at seasonable Times. Penalty for Refusal or Neglect, 100 *l*. *Vide post*. Sect. 851.

CLXXXIV. Parents on the Birth of any Child shall give Notice thereof, and of the Christian Name of such Child, within five Days to the Collector, and take his Certificate of the said Notice (without Fee.) Penalty for neglecting such Notice, two Pounds. In case the Child be born dead, the Parents shall produce a Certificate of the same under the Hands of two Witnesses, or incur the like Penalty.

CLXXXV. No Patents of Exemption from Taxes, &c. shall excuse any Person from the Payments granted by this Act.

CLXXXVI. Persons under the Age of twenty-one Years, chargeable by this Act, shall be paid for by their Parents, Guardians or Tutors, &c.

CLXXXVII. All Persons to be rated and assessed at such Place where they shall be resident at the Time of the Execution of this Act. Persons doubly charged by reason of several Mansion-Houses

Houses or Places of Residence, upon Certificate and Oath, &c. of the Sums charged upon them, and in what Capacity, shall be discharged.

CLXXXVIII. House-keepers shall, upon the Collectors Demand, give an Account of their Lodgers, under the Penalty of five Pounds.

CLXXXIX. If the Heir pay the Duty for the Party deceased, he shall be entitled to recover so much from the Executors or Administrators.

CXC. Collectors neglecting to make due Payments of Monies received, shall be imprisoned, and their Estates seised.

CXCI. Commissioners to assess themselves.

CXCII. Commissioners to appoint Assessors and Collectors for Places extraparochial.

CXCIII. No Stay of Prosecution, or *Non vult ulterius prosequi*, shall be allowed in any Court, in any Suit or Proceeding upon this Act.

CXCIV. Every Person coming to inhabit in Places where the Assessments are made, the Commissioners shall summon such Person before them, and assess him there, unless he can produce a Certificate that he is assessed elsewhere.

CXCV. Assessors and Collectors neglecting or refusing their Duty, shall incur a Fine not exceeding twenty Pounds.

CXCVI. Officers sued for what they do in Pursuance of this Act, may plead the General Issue, &c.

CXCVII. Particular Collectors not obliged to travel above ten Miles to the Receiver-General.

CXCVIII. Receiver-General that makes a false Return into the Exchequer, shall forfeit to the Party grieved, treble Damages, and to the King, double the Sum falsely returned.

CXCIX. Commissioners employed in the Execution of this Act, shall not incur the Penalties in the Act, *Car. 2.*

CC. Penalties incurred by this Act shall be levied by Distress, by Warrant from two or more Commissioners.

CCI. Duties for Burial of such as receive Collection, shall be paid by the Churchwardens and Overseers of that Parish where such Persons were last relieved or maintained. Distress for Non-payment.

CCII. Demand at the House where any Person died, shall be a good Demand of the Duties of Burial.

CCIII. In Cities, Corporations and great Towns that have more Parishes than one, the Charges of the Burial Duties of the Poor shall be taxed and born by the Town in general.

CCIV. Receivers General to account before the Auditors of the Imprest yearly, between the first of May and first of November.

CCV. No Person shall be married at any Place, pretending to be exempt, without Bans or Licence. Penalty on the Parson

so marrying, 100 l. to the King and Informer, and for the second Offence, Suspension *ab Officio & Beneficio* for three Years.

CCVI. This Act not to extend to Fellows, Students, Scholars and Exhibitioners of any College or Hall in the two Universities, in respect of their being Batchelors.

CCVII. Persons under the Age of twenty-one Years, not residing at Time of Death with Father or Mother, their Burial-Duty shall be paid for by the House-keeper where such Person shall die, and they to receive it again of the Father, if living, or of him or her that should be Guardian or Trustee of such Child.

CCVIII. Every Burial for which a Duty of twenty Shillings or more is payable by this Act (except such who are chargeable only for fifty Pound *per Annum*, or six hundred Pound personal Estate) the Name, Age, Quality, Marriage and Issue of the Deceased, and of the Parents of the Deceased, shall be transmitted in Parchment to the Collectors, by them to the Receiver-General, and by him to the Heralds, who are to register and file the same without Fee.

CCIX. Money may be advanced on the Credit of this Act, not exceeding 650000 l. at Interest not exceeding eight *per Cent. per Annum*.

CCX. Which Monies shall be repaid in Course without Preference, &c.

CCXI. Debts may be assigned and transferred, &c.

CCXII. Farther enacted, That all Quakers, Papists and Jews, or any other Persons who shall cohabit and live together as Man and Wife, shall pay the Duties of Marriage according to their respective Degrees, as if they had been married according to the Church of *England*, to be collected and levied as other Marriages are. The Man so entering into such pretended Marriage shall give Notice thereof to the Collectors within five Days after, or forfeit 5 l. to the King and Informer.

CCXIII. Provided nothing in this Act shall make good such pretended Marriages, but they shall be in Law of the same Force as before. Continued *per Stat. 8 & 9 W. 3. cap. 20. to 1 Aug. 1706.*

Anno 6 & 7 W. 3. cap. 7. *An Act for granting to his Majesty several additional Duties upon Coffee, Tea, Chocolate and Spices, towards Satisfaction of the Debts due for Transport-Service, for the Reduction of Ireland. Vide Customs.*

CCXIV. Stat. 6. & 7 W. 3. cap. 12. For explaining and regulating the Doubts and Difficulties in the late Act, 5 & 6 W. & M. cap. 12. *For several Duties upon Vellum, Parchment and Paper, that the said Act shall not be construed to charge any Warrant made*

made by, or Recognizance taken before any Justice of Peace, or any Surrender of any Copyhold Estate, or Copies of such Estate, or any Certificate of Marriage of the Widow of a Seaman, or Proceedings in any Court-Martial relating to the Trial of Common Soldiers, or any Orders, Decrees or Proceedings before Commissioners of Sewers, or in the Court of Stannaries.

CCXV. Forry Shillings charged by the former Act upon registering Degrees in the Universities, shall not extend to the Degree of Bachelor of Arts.

CCXVI. The Duty of 40 s. laid by the said Act upon Letters Patent, shall not extend to Commissions of Rebellion in Process.

CCXVII. The like Duty laid upon Admittances of Officers, shall not extend to charge any annual Officer in Corporations or inferior Courts, whose Office is under the Value of 10 l. per Annum.

CCXVIII. Sea-Officers shall pay the same Duty as Land-Officers, and no more.

CCXIX. The Penalty of 500 l. mentioned in the said Act, is hereby changed into the Penalty of 5 l. only, and those who have incurred the Penalty of 500 l. are by this Act pardoned and discharged from the said Forfeiture.

CCXX. The Lord Treasurer, or Commissioners of the Treasury, shall once a Year at least set the Prices of Stamp Paper and Parchment, &c.

CCXXI. Stat. 6 & 7 W. 3. cap. 18. *For granting to his Majesty certain Duties upon Glas Ware, Stone and Earthen Bottles, Coals and Culm, for carrying on the War against France; It is enacted, That for five Years from the 29th of September, 1695. there shall be raised upon all Glas, and Glas-Wares, and all Stone and Earthen Bottles, which shall be, during the said Time, made within this Kingdom, or imported into the same, the respective Rates following, over and above all Customs already payable.*

CCXXII. *For all Quart Bottles, or so reputed, of green Glas, &c. of any Sort of Bottle-Work, and all Quart Stone and Earthen Bottles or Bottle-Work 12 d. per Dozen, and after that Rate for more or less.*

CCXXIII. *Pint Bottles or reputed Pints of Glas, Stone or Earth. 6 d. per Dozen.*

CCXXIV. *Bottles and Bottle-Works of Glas, Stone, or Earth, holding less or more than Pints or Quarts, a proportionable Duty.*

CCXXV. *For Flint-Glas, Works made or mixed with Crystal, Looking-glas Plates, and Coach-glas Plates, &c. a Duty after the Rate of 20 l. per Cent.*

CCXXVI. *For Window-Glas, or Glas used in glazing Windows, made here, or imported, 10 l. per Cent.*

CCXXVII. Of

CCXXXVII. Of all other Glass-Works or Glass-Wares not before particularly charged, 15 *l.* per Cent.

CCXXXVIII. The Duties for what is made in this Kingdom, to be paid by the Maker, and for such as are imported, by the Importer, in ready Money upon his Entry at the Custom-house, &c.

CCXXXIX. For the raising the Duties on such Wares as are made in this Kingdom, the Commissioners of the Treasury shall appoint Commissioners or Surveyors for the said Duties, who shall substitute Deputies or inferior Officers under them for the Purposes aforesaid, who shall cause all Monies raised by them to be paid into the Exchequer, &c.

CCXXX. All Makers of the said Manufactures before they kindle any Fire for their Work, shall give Notice thereof to some of his Majesty's Officers, within three Days before such Fire shall be kindled, under the Penalty of 10 *l.* for every Default, to the King and Informer; and the said Makers shall within 24 Hours after the drawing or perfect making of any Manufactures, make true Entries of the same with the Officers that shall be appointed to attend such Works, or give true Accounts thereof daily in Writing, and within three Months after pay the Duties for the same, &c.

CCXXXI. Lawful for the Officers in the Day-time to search what Quantities of the said Commodities. And if any Maker endeavours to defraud in not making due Entry, or in removing his Goods before the Duty secured, and Permission granted by the Officer, the Goods are to be forfeited. If any of the said Commodities happen to be broken in drawing from the Leer or Kiln, no Duty for the same shall be paid.

CCXXXII. The said Manufactures, if transported, shall have their Duties paid back, &c.

CCXXXIII. The Furnaces and other Utensils in whose Hands soever, chargeable with the Arrears due for these Duties, may be distrained, seised and sold for the same. Continued for ever per Stat. 7 & 8 W. 3. cap. 31. But half the Duties on Glass and Glass-Wares, and the whole Duties on Stone and Earthen-Wares taken away per Stat. 9 & 10 W. 3. cap. 45. And afterwards the remaining half Duty on Glass and Glass-Wares taken away per Stat. 10 & 11 W. 3. cap. 18.

Anno 7 W. 3. cap. 2. *An Act for enlarging the Times to come in and purchase certain Annuities therein mentioned, and for continuing the Duties formerly charged on Low Wines, or Spirits of the first Extraction, for carrying on the War against France. Vide Annuities.*

CCXXXIV. Stat. 7 W. 3. cap. 5. *An Act for granting to his Majesty an Aid of 4 s. in the Pound for one Year, for carrying on the War against France; by four quarterly Payments, the first whereof*

whereof to be made on the 25th of *March*, 1696. To be executed by the Commissioners named in the Act, with the same Clauses about Cruisers as before, *Sett.* 161, 162.

Anno 7 & 8 W. 3. cap. 10. *An Act for continuing several Duties granted by former Acts upon Wine and Vinegar, and upon Tobacco and East-India Goods and other Merchandize imported, for carrying on the War against France. Vide Customs and Coin.*

CCXXXV. Stat. 7 & 8 W. 3. cap. 18. After the 25th of *March*, 1696, during the Term of seven Years and no longer, there shall be charged, levied and paid unto his Majesty, his Heirs and Successors, for and upon every Dwelling-House inhabited within *England, Wales and Berwick* (except Cottages) the yearly Sums following, *viz.* Every such Dwelling-house inhabited 2 s. *per Annum*, and for every such House having ten Windows, or more, under twenty, the Sum of 4 s. yearly, over and above the said 2 s. and for every such House having twenty Windows or more, the yearly Sum of 8 s. over and above the said 2 s. To be paid yearly by two equal Portions, during the said seven Years, on the 29th Day of *September*, and 25th Day of *March*.

CCXXXVI. To be charged on the Inhabitants or Occupiers of the said Dwelling-House, their Executors or Administrators, and not on the Landlord of the same.

CCXXXVII. The Commissioners for executing of the Act past this present Session of Parliament, *For granting to his Majesty an Aid of four Shillings in the Pound*, shall be Commissioners for executing this present Act, in their respective Counties, for the first Year of the said seven Years, who shall meet at the usual Place of Meeting, at or before the 7th of *May*, 1696, and shall appoint Presenters and Assessors, and direct them how they shall make their Certificates and Assessments, according to the several Rates aforesaid, who shall at a Day prefixt appear again before the Commissioners, and bring in their Certificates in Writing under their Hands, of every Dwelling-house inhabited, charged by this Act, within the Limits for which they act, with the Number of the Windows in each House, unless the Number exceed twenty, and then they need not mention the Number above twenty, with the Names of the Inhabitants, and what they ought to pay according to this Act, without Favour or Malice, upon Pain of forfeiting any Sum not exceeding five Pounds; and shall then return the Names of two or more sufficient Persons to be Collectors of the said Duties in the Parishes where they are Assessors, for the first Year of the said seven Years; for whose Payment of the Monies received by them to the Receivers-General, the Parish or Place by

by whom they are so employed shall be answerable. And every Assessor shall, before he take upon him the said Employment, take the Oath mentioned in the Act, 1 W. & M. cap. 8.

CCXXXVIII. The Rates shall be ascertained, and the Certificates returned at or before the fourth of *June*, 1696, and thereupon the Commissioners, or any two of them, shall issue out their Warrants for collecting the said Duties as they become due, and the Collectors are to demand the same within ten Days after they become due, and upon Payment, give Acquittances for the same; which Acquittances shall be a full Discharge to the Party paying. The Collectors shall within twenty Days after Receipt, pay in such Money by them received, to the Receiver-General, who in Default may, by Warrant from two Commissioners, levy the Money received upon the Collectors, by Distress and Sale of their Goods.

CCXXXIX. The Receivers-General shall pay the Monies by them received by this Act, into the Exchequer half-yearly, upon the twenty-ninth of *September*, and the twenty-fifth of *March*, or within forty Days after. Three or more Commissioners may, upon Return of the aforesaid Certificate, examine the Presenters thereof, and if they know, or vehemently suspect, that any House, Person, or Number of Windows, are omitted, which ought to be set down by this Act, the said Commissioners may summon the Persons inhabiting such Houses before them, to be examined concerning the Premises: If the Person summoned neglect to appear without reasonable Excuse, he shall pay for such Default double the Sum he should have been set at. And the said Commissioners may, by all lawful Means, enquire into the Number of Windows, and set such Rates upon such Persons as shall be according to the true Meaning of this Act.

CCXL. The Receiver-General shall have 2 *d. per Pound* for all Monies by him paid into the Exchequer. And every Collector 3 *d. per Pound* for what Money he shall pay to the Receiver-General. And to the Clerks of the Commissioners, for their Pains-taking in Writing, 1 *d. per Pound*, which is to be paid them by the Receiver-General.

CCXLI. Collectors may distrain the Goods and Chattels of any Person who shall refuse to pay the Sum appointed by this Act, and the Distress so taken to keep (at the Costs of the Owner) four Days, and then, if the Money be unpaid, appraise and sell the same, restoring the Overplus, if any be. Lawful to break open in the Day-time any House by Warrant of three or more Commissioners, the Constable or Headborough assisting. Upon Neglect or Refusal of Payment within the Space of twenty Days after Demand, where no Distress can be found, the Party may be imprisoned by Warrant of three or more Commissioners, without Bail or Mainprize, until Payment shall be made. Persons aggrieved may, within ten Days after Demand, complain to the

Commissioners who signed their Rate, who may, examining the Parties complaining upon Oath, concerning the Number of their Windows or Lights, and as they see Cause, abate or increase the Assessment, and the said Abatement or Increase shall be by them estreated into the Exchequer.

CCXLII. The Justices of Peace for the severall and respective Counties of *England* and *Wales*, and the Town of *Berwick*, are appointed Commissioners for putting this Act in Execution, during the last six Years of the seven Years, for which the Duties by this Act are granted.

CCXLIII. At the End of every Year of the said Term of seven Years, the Collectors of the preceding Year shall deliver a fair Copy of the Assessments given to them, with the Collection made by them, with such Alterations as are necessary, and the Names of two substantial Inhabitants, whom they think fit to succeed them in their Office, writ at the Bottom, to two or more Justices of the Peace of the respective Counties where they were appointed Collectors; which Justices shall strictly peruse the same, and examine the Presenters, and if they find Cause, they, or any two of them (having first examined the Parties concerned by all lawful Ways and Means) may enlarge, alter, abate or diminish the said Assessments, after which they shall set their Hands to, and allow the said Assessments, and nominate and appoint two of the Persons named in the said Certificate for the Year ensuing, who are to collect the said Duties, and to proceed according to the Directions before-mentioned.

CCXLIV. During the six last Years four Justices of the Peace at the next Quarter-Sessions after Complaint made, may examine the Party complaining upon Oath, concerning the Number of his Windows, and upon due Knowledge thereof may abate or increase the Assessments, or any of them, and the same shall be certified to the respective Collectors, to be collected according to the Directions of this Act, and a true Duplicate thereof shall in a convenient Time be delivered to the respective Receivers-General.

CCXLV. All Appeals once heard and determined by Virtue of this Act shall be final.

CCXLVI. No Letters-Patents of Exemption shall be taken to exempt any Person or Persons from the Charge of any Sum appointed by this Act; and all *Non obstantes*, in Bar of any Act of Parliament, for the Supply or Assistance of his Majesty, are hereby declared to be void, and of none Effect.

CCXLVII. Where Infants are chargeable by this Act, their Parents, Guardians and Tutors respectively, shall pay for them, which shall be allowed upon their Accounts.

CCXLVIII. Collector neglecting or refusing to pay any Money by him received, according to the Directions of this Act, the Commissioners, or any three of them, in their respective Dis-

visions

visions, may imprison the Person, and seize and secure the Estate both real and personal of such Collector, where-ever the same can be discovered and found; and in Case the said Monies be not paid or satisfied at a general Meeting of the Commissioners to be appointed, upon twenty Days Notice, the said Estate shall be sold and disposed of, and the Monies detained by such Collector so raised, to be paid into the Hands of the Receiver-General.

CCXLIX. Assessments shall be made in such County, Hundred, Rape, Wapentake, Division, Place and Allotment, as usual, and not elsewhere.

CCL. In Places privileged and Extraparochial, two or more Commissioners shall appoint two fit Persons to be Assessors, and two or more Collectors, living in or near the said Places.

CCLI. No Inhabitant in any City, Borough, or Town Corporate, shall be compelled to be an Assessor or Collector out of the same.

CCLII. Commissioners shall rate and assess each other, and the Assessors, within their respective Divisions.

CCLIII. No Stay of Prosecution, by *Non vult ulterius prosequi*, shall be allowed in any Suit or Proceeding for the Recovery of any Penalties or Forfeitures upon any Person or Persons by this Act inflicted.

CCLIV. Three Commissioners may and shall impose on any Assessor or Collector, who shall wilfully neglect or refuse to perform his Duty, a Fine not exceeding 20 l. for any one Offence; the same to be levied and certified, as aforesaid, and charged upon the respective Receivers-General among the Rates aforesaid.

CCLV. Two or more Commissioners shall require an Account of the respective Receivers-General, of Monies received by them, and cause the same to be paid into the Exchequer.

CCLVI. If any Controversy arise among the Commissioners concerning Rates and Assessments, the Commissioners concerned shall have no Voice, but shall withdraw during the Debate. And all Questions that shall arise about Rates, shall be heard and finally determined by three or more Commissioners, without further Trouble or Suit in Law. Receivers-General, or their Deputies, shall give Acquittances *gratis* to the Collectors, which shall be a full Discharge for Monies received. And the said Collectors shall deliver to the Receivers a fair Schedule in Parchment, under their Hands and Seals, signed and allowed by three Commissioners, of the Names of such as make Default of Payment, the same to be returned into the Exchequer.

CCLVII. All Constables, and other his Majesty's Officers, shall be assistant to the Execution of this Act, and obey such Precepts and Warrants as shall be to them directed from three or more Commissioners.

CCLVIII. If any Action or Suit shall be commenced against any Person for what he shall do in Pursuance of this Act, he

may plead the General Issue, and give the Special Matter in Evidence; and if the Plaintiff become nonsuit, discontinue or Verdict pass against him, the Defendant shall recover double Costs.

CCLIX. The Receiver-General shall give Notice of his Deputations to the Commissioners, or any two of them, in their respective Divisions, within ten Days after their first general Meeting.

CCLX. The Collectors for Payment of Monies by them received, to the Receiver-General, or Deputy, shall not be obliged to travel above 10 Miles.

CCLXI. If any Receiver-General shall return into the Exchequer any Sum of Money Arrear, which hath been paid to him or his Deputy, he shall forfeit to every Person that shall be molested, by reason of such unjust Return, double the Damages that shall be thereby occasioned; to be recovered by Action of Debt, Bill, &c. in which no Effoin, &c. shall be allowed, or more than one Imparance; and he shall also forfeit to the King double the Sum that shall be so unjustly returned.

CCLXII. No Commissioner employed in the Execution of this Act shall be liable for so doing to any Penalty mentioned in the Act, 25 Car. 2. cap. 2.

CCLXIII. All Penalties and Forfeitures appointed by this Act, for which there is no particular Way of Levying before prescribed, the same shall be levied by Warrant under the Hands and Seals of two or more Commissioners, by Distress and Sale of the Offender's Goods.

CCLXIV. If any Collector shall neglect or refuse to deliver a Copy or Duplicate of the Assessment by which he collected, together with the Names of two or more of the Inhabitants of the Place where he was Collector, to be appointed for the Year ensuing, as is herein before directed, every such Collector shall forfeit twenty Pounds to the King.

CCLXV. Dwelling-Houses, whose Inhabitants are, by reason of their Poverty, exempted from the usual Contributions to Church and Poor, shall be excepted out of this Act, as Cottages.

CCLXVI. Excepted also out of this Act such Houses as have been, or shall be built in the Town of *Warwick*, since the dreadful Fire which happened on the fourth Day of *September*, 1694.

CCLXVII. After the twenty-fourth of *June*, 1696, any Persons, Natives or Foreigners, may lend unto his Majesty, upon the Security of this Act, any Sum or Sums of Money not exceeding 1200000 Pounds, and shall have for the Forbearance of 600000 Pounds thereof, which shall be first lent, Interest not exceeding seven Pounds *per Cent.* and for the Remainder of the 1200000 Pounds, Interest not exceeding eight Pounds *per Cent. per Ann.* and no Money so lent shall be assessed by Virtue of any Act of Parliament.

CCLXVIII. A

CCLXVIII. A Book and Register to be kept in the Office of the Auditor of the Receipt in the Exchequer, in which all Monies paid in by Virtue of this Act shall be entred apart. All Persons who shall lend Money upon the Credit of this Act, shall immediately have a Tally of Loan for the same, and an Order for Re-payment bearing the same Date, in which Order shall be contained a Warrant for Interest, not exceeding the Rates aforesaid, to be paid every three Months, until Repayment of the Principal, which Orders shall be registred in Course, without any Preference; and every Person shall be paid in Course, according as his Order is entred in the Register-Book. No Fee, Reward, or Gratuity, shall be demanded or taken, directly or indirectly, by any of his Majesty's Officers, on Pain of Payment of double Damages to the Party grieved, with Costs, and Loss of Office. The Officer or Clerk who makes any undue Preference either in Registry or Payment, shall pay the Debt, Damages and Costs to the Party grieved, and lose his Place or Office; so if the Auditor shall not direct the Order, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Place and Order: All which Penalties and Forfeitures may be recovered by Action of Debt, &c. in any Court of Record at *Westminster*, wherein no *Essoin*, &c. shall be allowed.

CCLXIX. If several Tallies or Orders are dated on the same Day, it shall not be undue Preference which of them be entred first, if all be entred the same Day.

CCLXX. It shall not be any undue Preference if Money be paid upon subsequent Orders, if those of a prior Date do not come and demand their Money in Course, so as there be so much Money reserved as will satisfy precedent Orders; Interest upon Loan to cease from such Time as the said Monies shall be laid by in Bank.

CCLXXI. Monies due by Virtue of this Act, after Order entred in the Registry for Payment thereof, may be assigned by Indorsement, *toties quoties*; which Assignment being notified in the Office of the Auditor of Receipt, an Entry shall be made thereof in the Book aforesaid, for Orders, without Fee.

CCLXXII. All Monies raised by Virtue of this Act by Loans, as aforesaid, and all Monies paid into the Exchequer for the Rates, Duties and Impositions hereby granted (except so much of the same as shall go for Repayment of the said Loans and Interest) shall be appropriated and applied for or towards the supplying and making good the Deficiencies of clipped Money, pursuant to the Act of this present Parliament, intituled, *An Act for the remedying the ill State of the Coin of the Kingdom.*

CCLXXIII. The Commissioners of his Majesty's Treasury, or one or more of them, or the Lord-Treasurer or Under-Treasurer of the Exchequer, shall, on or before the twenty-fourth of June,

1696, and from thenceforth once in twenty-eight Days, or oftener, cause an exact Accompt to be made of the said Deficiencies, as they shall appear upon every Revenue, Tax, Loan, Branch or Fund, and see how much Money shall be brought into the Exchequer by Virtue of this Act. and thereupon cause such Money to be distributed and applied to the Accompt of each respective Tax, Loan, Fund or Branch, in Proportion to its particular Deficiency.

CCLXXIV. Which Money so distributed shall be issued and paid out (so far as the same will extend) in such Course and Manner as ought to have been observed in Case the said Monies had not been taken away from the respective Funds to be re-coined, without being divertible to any other Use. Continued per Stat. 8 & 9 W. 3. cap. 20. to 1 August, 1706. Continued per 1 Ann. cap. 13. till 1 August 1710. Vide Deficiencies, 12. Continued to her Majesty and Successors for ever, per 5 A. cap. 13. Vide Exchequer, 17.

Anno 7 & 8 W. 3. cap. 20. *An Act for granting to his Majesty an additional Duty upon all French Goods and Merchandize.* Vide Customs.

Anno 7 & 8 W. 3. cap. 30. *An Act for laying several Duties upon Low Wines or Spirits of the first Extraſtion, and for preventing the Frauds and Abuses of Brewers, Distillers, and other Persons chargeable with the Duties of Excise.* Vide Excise.

CCLXXV. Stat. 7 & 8 W. 3. cap. 31. For the Encouragement of such Persons who shall voluntarily contribute to the advancing into the Exchequer, towards carrying on the War against France, and for establishing a National Land-Bank, any Sum or Sums of Money not exceeding five and twenty hundred and sixty-four thousand Pounds, upon the Terms herein after-mentioned: Enacted, That all the Duties upon Salt granted by an Act made 5 & 6 W. & M. until the 17th of May, 1697, shall continue for ever, to be raised in the same Manner and Form, and under such Penalties as are mentioned in the said Act.

CCLXXVI. The Commissioners for Management and Receipt of the Excise at the Head Office in London, shall keep apart all the Monies arising by the Rates and Duties hereby granted and continued, as the same shall arise, and be paid in by the Collectors, and pay the same Weekly, every Wednesday (if not a Holiday) into the Receipt of the Exchequer, distinct and apart from other Monies by them received.

CCLXXVII. A Book shall be kept in the Office of the Auditor of Receipts in the Exchequer, in which all the Weekly Payments, as aforesaid, shall be entred apart and distinct.

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CCLXXVIII. If the said Commissioners shall neglect to pay into the Exchequer the said Weekly Sums, as aforesaid, or shall divert or misapply any Part of the same, they shall forfeit their Office of being Commissioners of the Excise, become incapable of any Office of Trust whatsoever, and be liable to pay the full Value of any Sum or Sums so diverted, to any Person who shall sue for the same.

CCLXXIX. The Sums appointed by this Act to be paid Weekly into the Exchequer, shall be the Fund for the Purposes herein after mentioned.

CCLXXX. The King may, out of the Duties granted and continued by this Act, cause such Sums of Money to be paid for Salaries, and other inferior Charges, as shall be necessary for the collecting and managing the said Duties.

CCLXXXI. The Controllers of the Excise shall from Time to Time keep an Account of the said Duties, in the same Manner and under the same Penalties as in the said Act is directed.

CCLXXXII. Every Year, reckoning from the seventeenth of May, 1696, the full Sum of 179480 Pounds, out of the Money raised and brought into the Exchequer from the said Duties by Weekly Payments, as aforesaid (in Case the said Weekly Payments shall extend thereunto) shall be the whole Yearly Fund; or if they fall short, then Part of the Yearly Fund, for answering and paying the Yearly Sums herein after mentioned.

CCLXXXIII. For the better raising of two Millions five hundred sixty-four thousand Pounds, the Yearly Sum of 179480 Pounds, out of the Duties arising by this Act, shall be kept apart in the said Receipt of Exchequer, to be paid as herein after directed.

Then follow the Directions for incorporating the Subscribers.

CCLXXXIV. But in Case the Sum of two Millions five hundred sixty-four thousand Pounds, or one Moiety thereof, be not subscribed on or before the first Day of August, 1696, then the Power of erecting a Corporation shall cease; and in such Case so much of the said Yearly Sum of 179480 Pounds as shall belong to the Subscribers, shall be transferrable by the said Subscribers, their Executors or Assigns, by Writing under Hand and Seal, attested by two Witnesses, and entred within twenty Days in a Book for that Purpose kept in the Exchequer, by the King's Remembrancer, without Fee. *Now,* That the said Moiety not being advanced within the Time limited, the Subscribers were not incorporated.

CCLXXXV. The Acts of 5 & 6 W. & M. cap. 20. and 6 & 7 W. 3. cap. 18. As to the Rates and Duties for Tonnage, Coals and Culm, thereby granted, shall continue in Force to the seventeenth of May, 1696, and no longer, and after that Time the said Duties shall cease, and be no longer payable.

CCLXXXVI. Out of the Monies which shall be paid into the Exchequer by Virtue of this Act, the Sum of 560000 Pounds shall be appropriated for paying so much as yet remains unpaid of the Sum of 564700 Pounds, with Interest for the same, which was advanced by Way of Loan, upon the said Act of 6 & 7 W. 3. cap. 18. And the Sum of 140000 Pounds shall be appropriated for answering and making good the Duties upon Tonnage granted, as aforesaid, which shall arise by Virtue of the aforesaid Act for that Purpose, from the said seventeenth of May, 1696, to the seventeenth of May, 1697. And the Sum of 140000 Pounds shall be appropriated for answering and making good the Rates and Duties upon Salt, which shall arise by Virtue of the foresaid Act for that Purpose, from the said seventeenth of May, 1696, to the seventeenth of May, 1697.

CCLXXXVII. The Rules and Directions appointed in the Act made 1 W. & M. intituled, *An Act for a Grant to their Majesties of an Aid of two Shillings in the Pound for one Year*, for the Payment of the Money thereby granted, and for the Application thereof, and all Provisoes, Penalties and Forfeitures thereby enacted, shall be practised, applied and executed for and concerning the Application of the Sums hereby appropriated.

CCLXXXVIII. Any Guardian or Trustee for an Infant, may for such Infant advance a Sum not exceeding one Moiety of the Monies within his Trust; and such Infant shall become the Contributor thereof, and the Guardian be discharged from the same.

CCLXXXIX. All Salt made from Rock-Salt (allowing the Draw-back for the same, as in the Act of 5 & 6 W. & M. cap. 7. is mentioned) and all refined Salt, or Salt made from Salt, either imported or made in *England*, was, and is chargeable with the Duty of one Penny Half-penny per Gallon, any thing in the said Act notwithstanding.

CCXC. All Salt and Salt-Works (Rock-Salt excepted) shall be ascertained, as to the Payment of the said Duties, at the Rate of fifty-six Pound-Weight to the Bushel (eight Gallons to the Bushel.)

CCXCI. All Salt, whether of the Product of this Kingdom or *Wales*, or brought from *Scotland*, brought in, landed, or put on Shore, before due Entry be made, and Payment of Duties by the said Act imposed, shall be forfeited, one Moiety to the Seizer or Informer.

CCXCII. Every Collector for the said Duties shall after the seventeenth of May, 1696, provide at every Salt-Work a sufficient Beam, Scale and Weights, or Stileard, and fix the same in some convenient Place about such Salt-Work, for the weighing all Salt that shall be delivered from the said Salt-Work, and one or more sufficient Persons shall be sworn before a Justice of Peace, without Fee, for the due and true weighing the same; which

which Weighers shall be satisfied and paid for their Pains by the said Collector of the said Duties.

CCXCIII. Officers shall deliver *gratis*, and without Delay, such and so many Warrants and Permits to each Carrier of Salt, as he shall demand, for the several Horse-loads of Salt as he shall load at one Time, and at one Salt-work.

CCXCIV. All and every the Rates and Sums of Money directed to be paid by the Act made, 5 & 6 W. & M. (herein first recited) for the several Sorts of Fish (Conger excepted) therein mentioned to be exported, shall be paid during the Continuance of this Act, in such Manner as by the said first recited Act is appointed.

CCXCV. All Persons selling Salt (except Foreign Salt) shall after the 17th of May 1696, sell the same after the Rate of fifty six Pound-weight to the Bushel, and so proportionably, under the Penalty of forfeiting the Sum of five Pounds to the Informer.

CCXCVI. All and every the Rates and Duties upon Glass, or Glass-Wares, Stone-Bottles and Earthen Bottles granted by the above-mentioned Act, 6 & 7 W. 3. cap. 18. shall be raised, collected, answered and paid to the King, his Heirs and Successors for ever, in the same Manner and Form, Ways and Means, and under such Penalties as are mentioned in the Act last mentioned; and the said Act, and every Article and Clause therein, concerning the Rates, Duties and Impositions on Glass Wares, Stone Bottles and Earthen Bottles only, shall continue and be in full Force for ever. And from and after the 17th of May, 1696, there shall be levied and paid to the King, his Heirs and Successors for ever, upon all Sorts of Tobacco-pipes, and all Stone and Earthen Wares which shall be made, burnt or baked in England, Wales or Berwick, or imported into the same (China Wares, or such which are so called, Stone Bottles and Earthen Bottles excepted) the several Impositions, Rates and Duties herein after mentioned, over and above the Duties already payable, for and upon the Importation of any of the said Commodities.

CCXCVII. For all unglazed Tobacco-pipes made here, the Sum of twelve Pence for every Gross, reckoning one hundred forty four Pipes to the Gross, and so proportionably. For all Wares made of Earth or Stone, commonly called Earthen Wares (except as before excepted) made here, there shall be paid and answered a Duty to be computed after the Rate of ten Pounds for every hundred of the real Value thereof.

CCXCXVIII. And for all Sorts of Tobacco-pipes, and such Earthen Wares as aforesaid (except before excepted) not made here, but imported after the said seventeenth of May, there shall be paid for Tobacco pipes five Shillings for every Gross, and so proportionably; and for the Earthen Ware (except before excepted) a Duty after the Rate of ten Pounds for every hundred Pounds of the real Value.

CCXCIX. All

CCXCIX. All which Duties for Pipes and Earthen Wares made within this Kingdom, *Wales* and *Berwick*, shall be paid by the respective Makers of the same.

CCC. And for such of the said Pipes and Wares as shall be imported from beyond the Seas, the Duties shall be paid by the Importer (over and above such Duties as are already payable) in ready Money, upon his Entry, and before his landing thereof; and in case any such Wares be brought on Shore before Entry, and the Duties fully paid, or without Warrant for landing the same, then all such Pipes and Earthen Wares so landed, or the Value of the same, shall be forfeited, one Moiety to the King, the other to the Seizer, or him who shall sue for the same, or the Value thereof.

CCCI. Which said Duties on Pipes and Earthen Wares imported, shall be under the Management of the Commissioners of the Customs, who shall cause the same to be raised, collected and paid by the Officers of the Customs, to the Receiver-General of the Customs, who shall answer and pay the same (necessary Charges excepted) into the Receipt of the Exchequer, distinct and apart from all other Branches, for the Purposes in this Act mentioned; and the Duties upon Earthen Wares imported, which are payable *ad valorem*, shall be levied according to the Value and Price made upon Oath by the Merchant or Importer.

CCCII. The said Duties upon such Pipes and Earthen Wares as are made here, shall be under the Management of the Commissioners, for managing the Duties of Glass Wares, Stone and Earthen Bottles, who shall substitute inferior Officers under them for the Purposes aforesaid, and shall cause the Monies arising by the said Duties (except the necessary Charge of managing and collecting the same) to be paid into the Exchequer, for the Purposes in this Act mentioned. And the Lord Treasurer, or Commissioners of the Treasury for the Time being, or three or more of them, out of the Duties arising by this Act, as aforesaid, may cause such Salaries and other incident Charges, to be expended and paid, as shall be necessary in and for collecting and managing the same; and may set down, settle and prescribe such Orders, Rules and Instructions for the said Officers, as shall be most conducing to the Intent and Meaning of this Act.

CCCIII. The Value of such Earthen-Wares as are made in *England*, *Wales* and *Berwick*, and are to pay *ad valorem*, shall be taken to be so much as the said Commodities are worth, to be sold as soon as they are perfectly made, or fit for Use; and in case Dispute shall arise, the Value of such Goods shall be esteemed by the Affidavit of the Maker, according to his usual Rates and Prices of selling the same; which Affidavit shall be in Writing, and made before a Justice of Peace, and delivered to the King's Offices, who may, if they think fit, take such Goods at the Value specified, and twenty Pounds *per Cens.* more, for the
King's

King's Use, paying down ready Money to the Maker for the same, which ready Modey so paid shall be allowed in the Accompts made for the said Duties, and the Goods in such Cases shall be sold and disposed of for the King's best Advantage and Profit.

CCCIV. All Persons who are now Makers of the said Manufactures of Pipes and Earthen Wares, shall before the 20th of May, 1696, give Notice in Writing to some of the Commissioners or Officers appointed to manage or collect the said Duties, of the Place or Places where they usually make, bake or burn the said Manufactures, with their Names and Places of Abode, respectively, and so as often as they change their Workhouses or Places of Abode. And the like Notice shall be given by such Persons who shall hereafter be Makers of any such Pipes and Wares as aforesaid, before they presume to make, bake or burn the same. And if any such Maker shall neglect to do as is aforesaid, he shall forfeit for every such Offence twenty Pounds, one Moiety to the King, the other to him who shall sue for the same.

CCCV. The like Notice shall be given by the said Makers as often as they fill any Pot, Kiln, Furnace, Oven, or other Place, for baking or finishing any of the said Wares, before they uncover, open, draw, break Bulk, or remove any of the said Wares, that the Officer may be present, and shall give to the Officer a true Entry of the said Goods so baked, burnt or made, signed by the Maker or Owner, containing the several Kinds, Numbers and Quantities, and real Value of such as are to pay by the Value; and shall not remove any of the said Goods, without Warrant signed by the Officer, under the Penalties hereafter mentioned, which Warrants the Officers shall give *gratis*, after the King's Duty paid.

CCCVI. The said Duties for Pipes and Earthen Wares shall be paid down by the respective Maker, at the Time of making the Entry thereof, or otherwise secured by Bond, for Payment at three Months: And if the Maker pays down the said Duty, he shall be allowed for prompt Payment, after the Rate of ten Pounds per Cent. per Annum, for the said Time of three Months.

CCCVII. The Officer appointed to inspect the several Works and Work houses for the said Commodities, shall have free Ingress, Egress and Regress, where such Works are in Hand, and in the Day-time, at seasonable Hours, free Liberty to search; and if any Owner of such Work-houses or Ware-house, shall refuse him Entrance, he shall for every such Refusal forfeit five Pounds, one Moiety to the King, the other to him who shall sue for the same.

CCCVIII. No Maker or Burner of Tobacco-pipes shall at any Time burn or bake new Pipes and old Pipes in the same Kiln,

Oven,

Oven, or Place of burning, under the Penalty hereafter mentioned.

CCCIX. If any Maker, Burner or Nealer of Glass Wares, Earthen Wares or Tobacco-pipes, shall set up or use any Kiln, Pot, Oven or Furnace, without giving Notice as aforesaid, or shall burn new and old Pipes together, or endeavour to defraud the King of any Duties by this Act payable, by not making true Entries, by removing his Wares without a Warrant from the Officer, or by hiding or concealing any of the said Commodities, for every such Offence he shall forfeit to the King the Sum of twenty Pounds, and all the Goods so removed, concealed, or endeavoured to be concealed, shall be seized and forfeited, one half to the Use of the King, the other to the Officer who shall seize or sue for the same.

CCCX. No Fee or Reward shall be taken by any Officer for any Warrants or Permits, to be given by him.

CCCXI. If any of the said Wares, upon drawing, are broken, or otherwise made unfit for Sale, there shall no Duty be paid for them, but the Officer shall see the same destroyed.

CCCXII. If any of the said Manufactures made here, shall be exported beyond the Seas for Sale, upon Security first given, that the Goods are shipped and shall not be reloaded in *England, Wales or Berwick*, and Oath that the Duties first due for the same were duly paid, the said Duties shall be repaid, or so much discharged, if Security was given for the same.

CCCXIII. Nothing in this Act shall extend to tax Bricks or Tiles used in Building.

CCCXIV. The Commissioners and Receivers-General, who shall have the Receipt of the said Duties, shall from Time to Time keep true Accompts of the same, to which Accompts all Persons concerned shall have free Access without Fee; and the said Commissioners and Receivers-General for the Time being, shall after the said 17th of May, on every *Wednesday* weekly, if it be not an Holiday, pay the Monies arising by the said Duties (necessary Charges excepted) into the Receipt of the Exchequer, where a separate Accompt shall be kept of such Monies, to which Persons concerned may have free Access; if any such Commissioners or Receivers-General shall neglect so to do, and misapply any of the said Monies, they shall forfeit their Places, be incapable of any Office of Trust, and be liable to pay the full Value of any Sum or Sums so misapplied, to any Person grieved, who shall sue for the same.

CCCXV. All the Monies arising by the said Duties, which shall be brought into the Exchequer, as aforesaid, or so much thereof, as (with the aforesaid Duties upon Salt) shall be sufficient to make up the yearly Fund of 179480 *l.* above-mentioned, or the proportionable Part thereof, payable in Respect of Monies actually advanced, shall be appropriated for making up such yearly

yearly Fund, or such proportionable Part of the same, and shall be issued and paid, and applied to and for such Uses and Purposes, to which the same are hereby intended and appointed, as fully and effectually, as if such Monies had arisen from the Duties upon Salt, and to no other Use; under the like Penalties and Forfeitures, to be incurred by the Officers of the Exchequer, as such Officers are to incur for diverting, misapplying, or not duly paying the Monies of the Duties upon Salt above-granted.

CCCXVI. The first Buyers of Tobacco-pipes shall pay and satisfy to the Makers, the Duties by this Act taxed upon the said Pipes, in Proportion to what they buy, over and above the usual Prices paid for the same within six Months last past, and upon Refusal and Complaint, and Oath made thereof to the Justices of Peace, at the next General-Sessions for that County or Place, the said Justices shall compel the same by Imprisonment or Distress of Goods. And the Makers of Tobacco-pipes shall not be liable to the Payment of the said Duties untill three Months after the making, any Thing in this Act notwithstanding.

CCCXVII. The King or his Officers in the Receipt of the Exchequer by his Appointment, may borrow any Sum or Sums whatsoever, from any Persons, Natives or Foreigners, Bodies Politick or Corporate, that shall be willing to advance the same, either upon the Credit of Repayment by Orders to be registred, and paid in Course, with Interest of seven Pounds *per Cent. per Annum*, or upon the Credit of Bills payable upon Demand, with Interest not exceeding three Pence *per diem* for every hundred Pounds; so that the principal Sums which at any Time shall be owing upon Orders or Bills, or both, shall not exceed 2564000 *l.* and so as that before the first of August, 1696, any Sum or Sums of Money, exceeding in the whole the Sum of 1500000 *l.* shall not be advanced upon the Credit of such Bills payable at Demand; and his Majesty may at any Time direct, limit and appoint, how much of the said Sum so to be let or advanced, shall be lent upon Orders, with Interest at 7 *l. per Cent. per Annum*, or be advanced upon Bill payable at Demand, with Interest, at 3 *d. per diem per Cent.* so as the Principal at any one Time owing upon the whole, or Money to be advanced upon Bills before the said first of August, do not exceed, as aforesaid. And no Monies so to be advanced shall be assessed to any publick Tax.

CCCXVIII. Where Monies shall be lent upon Orders, the Sums so lent shall be entred in a distinct Book, to be kept for that Purpose in the Exchequer, and the Lender shall immediately have a Tally of Loan, and an Order bearing the same Date for Repayment, with Interest at seven Pounds *per Cent. per Annum*; and the principal Money shall be paid in Course, the Interest every three Months, till the Principal be paid, out of the Monies arising by the Duties aforesaid: And the respective Officers of the Exchequer, for making any undue Preference, or taking any Fee
or

or Reward, or not paying, as is before directed, concerning the Monies lent upon Orders, shall incur such or the like Penalties as by an Act of this present Session of Parliament, *cap. 5.* are to be inflicted upon the like Officers, for the like Misdemeanours in reference to the Loans on that Act; and the Monies and Orders so payable in Course, shall be assignable, and transferrable by Endorsements upon such Orders, to be first entred into a Book for that Purpose in the Exchequer.

CCCXIX. Where any Money shall be advanced upon Credit of Bills, the Person advancing shall immediately have a Bill delivered to him for the principal Money so advanced, payable at Demand, and shall contain therein an Allowance of Interest, not exceeding three Pence *per diem* for every one hundred Pounds, and shall be satisfied from Time to Time out of the Cash, or current Monies, which shall arise by any Loans, or when there shall be no Orders of Loan charged on the Duties hereby granted, remaining unsatisfied, then out of any Monies in the Exchequer of the said Duties.

CCCXX. The Auditor in the Receipt of the Exchequer (pursuant to such Orders and Directions as he shall receive from the Commissioners of the Treasury, or Lord Treasurer for the Time being) shall prepare indented Bills of Credit, to be signed by him, and sealed with such publick Seal as shall be appointed for that Purpose, which Bills shall be for some even Number of Pounds, as ten Pounds, twenty Pounds, thirty Pounds, fifty Pounds, or one hundred Pounds, the Counterpart of which Bill shall remain in Books at the Exchequer, for trying the Truth of the original Bills, when there shall be Occasion; and the said Bills shall be so fashioned, as may render them less liable to be counterfeited. And the said Auditor shall from Time to Time (according to such Orders as aforesaid) deliver to the Tellers in the Exchequer the said Bills (taking Receipts of the said Tellers for the same) which said Tellers shall, upon Advancement of any Money to their Hands, by any Person, upon Credit of such Bills, deliver to such Person such Bill or Bills for the same, to the Amount of the Monies so advanced in Principal; and the said Bills so delivered out, shall and may pass in Payments from one Person to another that shall be willing to accept or take the same, and not otherwise. And the voluntary Acceptance thereof shall be deemed good Payment, as if the same were paid in the lawful Coin of this Kingdom. And the Tellers in the Exchequer, who shall have Money at any Time remaining in their Hands, of the Monies lent or advanced by this Act, shall, upon Demand made to such Tellers, out of such Money, satisfy and pay the Principal and Interest due upon such Bills, to any Person or Persons bearing and delivering back the same, without any other Warrant to be had in that Behalf. In case such Teller shall refuse or neglect to make such Payment (having Money at
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aforesaid) he shall forfeit his Office, and be incapable of any other, and pay to the Party grieved double as much as the Money so demanded, which may be recovered by Action of Debt, or Case, Bill, &c. in any Court of Record, wherein no Essoin, &c. or more than one Impar lance shall be allowed.

CCCXXI. The said Auditor of the Receipt shall cause to be kept a true Accompt of all the Bills by him made, and prepared and delivered to the Tellers, and they the like Accompt of the Bills by them received, and issued out, and of the Monies by them received and paid, in relation to the said Bills, to which Accompts all Persons concerned shall have free Access at seasonable Times; and no Fee or Gratuity shall be taken by any Officer, or any of their Clerks, for any Search, Entry, Payment, or other Matter relating to the said Bills of Credit, under Penalty of forfeiting their Places, and being disabled, as aforesaid. And the Commissioners of the Treasury, or Treasurer of the Exchequer for the Time being, are required, as they shall see Occasion, to cause the said Bills of Credit, as they are brought back, and paid off, to be cancelled, or cause the said Bills to issue out again, or new Bills to be made and issued, instead of the former, so as the whole Principal which at any Time shall be due upon the Bills and Orders, do not exceed the said Sum of 2564000 *l.* And in case the said Commissioners, or Treasurer of the Exchequer shall direct, or the Auditor of the Receipt make, or the Tellers issue out such a Number of the Bills of Credit, as the Principal Sum which shall be due thereon, and upon the Orders of Loan, shall exceed the said Sum of 2564000 *l.* or that a greater Sum than 1500000 *l.* shall be issued in such Bills before the said first of *August*, then they, or such of them that shall offend therein, and their Lands, Tenements, Goods, Chattels and Estates whatsoever, shall be subject and liable to answer and pay the Principal and Interest due upon such Bills of Credit, with Damages and Costs of Suit, to any Person who shall be possessor of such Bills, and will sue for the same by Action of Debt, Case, Bill, &c. as before-mentioned. If any Person shall forge or counterfeit any such Bill of Credit, or tender in Payment such Bill, or demand Money thereupon at the Exchequer (knowing the same to be forged) such Person, thereof being convicted, shall be adjudged a Felon, and shall suffer as in Cases of Felony: The Commissioners of the Treasury, or Treasurer of the Exchequer for the Time being, are authorized to cause the necessary Charge of making the said Bills of Credit, and performing the Services by this Act required in the Receipt of the Exchequer, not exceeding 4000 *l. per Annum*, to be defrayed out of the Monies lent or advanced, as aforesaid, and to issue for the War, and other Purposes by this Act intended to be provided for, any other Parts or Proportions of the said Monies, always reserving

serving so much Cash, as they shall think necessary for the Circulations, and answering the said Bills of Credit.

CCCXXII. Any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, who shall have any of the said Bills of Credit (in case there should be a Failure of Cash in the Exchequer to answer the same upon Demand) may, upon delivering up such Bills of Credit to the Auditor of the Receipt, and cancelling the same, have, receive and enjoy, to them, their Heirs and Successors, and Assigns, respectively for ever, out of the Duties upon Salt, and other Duties hereby granted, a yearly Rent or Sum after the Rate of seven Pounds *per Cent. per Annum*, for the Principal and Interest which shall be then due, and shall have a good and sure Estate in Fee-simple in such yearly Rents and Sums respectively, which shall and may be assigned and conveyed, in Part or in the Whole, and settled, limited, incumbered or charged, as any other Estate in Fee-simple may be, subject nevertheless to the Conditions herein after contained. The said yearly Rent shall be paid yearly at *Michaelmas* and *Lady-Day* by equal Portions; and Orders in the Form used in the Exchequer, shall be made forth for the Payment of the said yearly Rents or Sums accordingly; and the said Rents shall be paid without any Fee or Charge, under the like Penalties, as before-mentioned.

CCCXXIII. At any Time, upon full Satisfaction and Payment by Parliament, of the principal Monies, for which such yearly Sums of seven Pounds *per Cent. per Annum*, shall be payable, and all Arrears thereof, the said yearly Rents or Payments, and every of them respectively shall cease and determine.

CCCXXIV. The Monies which shall be advanced into the Exchequer, in Pursuance of the aforesaid Subscriptions for and towards a National Land-Bank, or upon Commission for taking Subscriptions, as before-mentioned, or so much thereof as shall be sufficient to pay off the Orders of Loan, and Bills of Credit before-mentioned, as also the principal Monies for which such Annuities or yearly Sums shall be payable, as aforesaid, shall be applied and issued accordingly, in and for the said Payments, or so much thereof as the Monies so advanced upon Subscriptions will extend to; and the Commissioners of the Treasury, or the Treasurer of the Exchequer for the Time being, are strictly enjoined and required, without any farther Warrant in that Behalf, to issue and apply the Money arising upon Subscriptions, in Discharge of the said Orders of Loan, and Bills of Credit, and the principal Monies for which the said Annuities or yearly Sums shall be payable, as aforesaid, so long as any of them shall remain unsatisfied. And upon the paying off every such Orders of Loan, Bills of Credit, Principal, Interest and Arrears, the said Duties hereby granted, and the Fund hereby appropriated to, or for the Benefit of the Corporation, or Subscribers before-mentioned,

mentioned, shall be totally exonerated and discharged of, from, and against all and every such Orders of Loan, and Bills of Credit which shall be paid off, and from the Annuities, for which the Principal and Arrears shall be satisfied; and the Orders for Payment, with the Issues thereupon, shall remain in the Exchequer afterwards only as Vouchers to the Tellers Accompts. And the said Bills of Credit so paid off, shall immediately be cancelled, without being issued again, or renewed; and the said Corporation (in Case it be erected) or the Subscribers before mentioned, their Executors, Successors, and Assigns, shall have, receive and enjoy, for the Monies which shall be by them subscribed, advanced, and paid into the Exchequer, as aforesaid, the Yearly Fund, or the proportionable Part thereof, clearly acquitted and discharged of, from, and against the said Orders of Loan, Bills of Credit, and Annuities or Yearly Sums, so paid off and discharged, as aforesaid.

CCCXXV. The Sum of 140000 *l.* herein before appropriated for making good the Rates and Duties of Tonnage, which should arise by Virtue of the aforesaid Tonnage-Act, from the seventeenth of *May*, 1696, to the 17th of *May*, 1697, shall be paid in the Manner following, *viz.* 100000 *l.* Part thereof shall in equal Proportions be Weekly paid to the said Governor and Company, during the said Year, out of the Monies arising by Virtue of this Act; and also the Sum of 40000 *l.* other Part of the said Sum, shall be paid to the several Persons who have purchased Annuities upon or under the said Tonnage-Act for the said Year; Quarterly, out of the Monies arising by this Act, as the said Money shall come into the Exchequer.

CCCXXVI. In Case sufficient Monies shall not arise by the Subscriptions aforesaid, or by the Duties hereby granted, or the Monies lent thereupon, to pay the Payments aforesaid, then so much as shall fall short, shall be paid and satisfied to the Parties aforesaid, out of any of the next Aid and Supplies to be granted in Parliament; and in Case no such Supply or Aid shall be granted on or before the 20th Day of *February*, 1696, then the said several Sums of Money shall be paid, as aforesaid, out of any of his Majesty's Treasure, which shall come from thenceforth into the Exchequer, not being appropriated by Act of Parliament.

CCCXXVII. Over and above the 700000 *l.* appropriated by an Act of this Session of Parliament, *cap.* 5. for the Services of the Navy and Ordnance, the further Sum of eighteen hundred and sixteen thousand nine hundred seventy-two Pounds for the Services of the Navy and Ordnance, and for Pay of the Officers of the two Marine Regiments, shall be applied and appropriated to be paid out of the Monies which shall be raised by Virtue of this present Act, and by Virtue of one other Act of this present Session of Parliament, *cap.* 2. and by Virtue of one other Act of this

present Session of Parliament, *cap.* 10. And all the rest of the Monies raised upon this Act, or the two other Acts last mentioned (other than the Monies which by any of them are specially directed, and other than the running Cash to be reserved by this Act for Payment of Bills at Demand) shall be appropriated and applied for the Payment of his Majesty's Land Forces, and other Charges incident to the War.

CCCXXVIII. The Rules and Directions appointed in the Act made in the first Year of his Majesty's Reign, intituled, *An Act for granting to their Majesties an Aid of two Shillings in the Pound for one Year*, and the Penalties and Forfeitures thereby enacted, are hereby revived, and shall be practised and executed for and concerning the Sums hereby appropriated.

CCCXXIX. No Person or Persons who shall, between the fourth Day of *May*, 1696, and the fourth Day of *November* then next following, bring any wrought Plate into the King's Mint to be coined, pursuant to an Act of this present Sessions of Parliament, *cap.* 19. shall have or receive the Reward after the Rate of 6 d. per Ounce for such Silver, or any Bill for the same, as mentioned in the said Act, unless he or they make Proof by Oath before the Master of the Mint, or his Depury, that such wrought Plate was not on or before the 25th Day of *March*, 1696, wrought of the Kinds so brought in respectively: And in Case the Plate so brought in was actually wrought or manufactured after the said 25th Day of *March*, then the same, or the Value thereof, shall be forfeited to any Person that will inform and sue for the same, and shall be recovered with Costs of Suit in any of the King's Courts of Record.

CCCXXX. The Lord Mayor and Court of Aldermen of the City of *London*, on or before the first of *May*, 1696, shall and may set, and publish in Writing, certain reasonable Rates and Prices upon all Salt to be sold after the said first of *May*, in *London*, and within the Bills of Mortality; and the Justices of Peace within the respective Counties, Cities and Places in *England*, *Wales* and *Berwick*, shall and may on or before the first of *August*, 1696, at their General Sessions of the Peace, set and publish in Writing certain reasonable Rates and Prices upon Salt to be sold after the said first of *August*, within their respective Counties, Cities and Places. And the Lord Mayor of *London*, and the Court of Aldermen, and the said several Justices of the Peace in their several and respective Counties, Cities and Places, as aforesaid, at their several and respective Sessions, as aforesaid, shall and may (if necessary) after the said first of *August*, alter and correct the Prices of all Salt to be sold in the said several and respective Places, by Writing duly made and published. Which Rates and Prices so set, altered and corrected, are to be observed, accepted, received and taken by all Persons selling Salt in *England*, *Wales*, or *Berwick*; and if any Person shall sell any Salt at any higher Price

or Rate, or refuse to sell at the Prices and Rates aforesaid, such Person shall for every such Offence forfeit the Sum of 5 *l.* to be levied out of the Goods and Chattels of such Offender, by Distress and Sale thereof, by Warrant under the Hand and Seal of the Lord Mayor of *London*, or of any Justice of the Peace of the Place where such Offence shall be committed, or Distress to be made; and in Default of such Distress, it shall be lawful by the like Warrant, as aforesaid, to imprison the Offender till he shall pay the said Sum of 5 *l.* one Moiety of which Sum shall be to the Use of the King, the other to such Person as shall inform and prosecute for the same before the said Lord Mayor of *London*, or the respective Justices of Peace, as aforesaid.

CCCXXXI. Nothing in this Act shall be taken or construed to the Prejudice of any Judgment given in any of the King's Courts at *Westminster*, in any Suit now depending there, in relation to the melting or refining of Salt.

Anno 8 W. 3. cap. 3. *An Act to explain that Part of the Act passed the last Session of Parliament (viz. 7 & 8 W. 3. cap. 30.) for laying several Duties on Low Wines, &c. which relates to the Payment of Tollies, and the Interest thereof.* Vide *Critica*.

CCCXXXII. Stat. 8 W. 3. cap. 6. An Act for granting an Aid to his Majesty as well by a Land-Tax of 3 *s.* in the Pound, as by several Subsidies and other Duties payable for one Year (commonly called the Capitation-Act) Loans on Credit of Contributions for Annuities pursuant to an Act 7 W. 3. remaining unsatisfied, to be in the first place transferred to the Register appointed for the Tax of 3 *s.* in the Pound. And in the next place, all Monies lent upon Credit of the Exchequer in general, between the first of *July*, 1696, and the first of *February*, 1696, which transferred Orders of Loan shall be assignable.

CCCXXXIII. Any Persons, Natives or Foreigners, may lend his Majesty any Sum not exceeding 1500000 *l.* (including the Sums transferred) at the Rate of 8 *l.* per Cent. on Credit of the Tax of 3 *s.* in the Pound, and the Monies so lent on this Act are not to be taxed.

CCCXXXIV. A distinct Register is to be kept in the Exchequer of the Produce of the 3 *s.* in the Pound: And the Interest for Monies lent thereon shall be paid in Course every three Months, without any undue Preference by the Officers of the Exchequer, as they will avoid the Penalties inflicted by the Act.

CCCXXXV. Orders of Loan, by Virtue of this Act, being entered, are made assignable.

CCCXXXVI. The Commissioners of the Treasury, or High-Treasurer, may issue Bills at the Exchequer for any Sum not exceeding 1500000 *l.* for the Use of the War; which Bills shall be

current in all Payments for any Aids or Supplies for the War for the Year 1697, except in the 3 s. in the Pound.

CCCXXXVII. And the Receivers and Collectors, out of the mill'd Money or Gold in their Hands, are to pay such Bills as shall be brought to them, under Penalty of forfeiting double the Sum. Which Receivers, upon Payment of any of the said Bills into the Exchequer, are to have Tallies for their Discharge; and the Bills so paid in to be immediately cancelled.

CCCXXXVIII. And the Money paid into the Exchequer for any Supplies for the Year 1697 (except for the 3 s. Aid) shall be applied to the taking up and cancelling such Bills: But if the Supplies for the Year 1697 (except for the 3 s. Aid) be deficient of 1500000 l. authorized to be issued in Bills, such Deficiency is to be in the first place made good out of any Monies that shall be raised by any Act of the next Session of Parliament.

CCCXXXIX. Every Receiver-General is to enter in Books all the Sums he receives, the Names of each Collector, the Days when, and Sums paid, how much in hammer'd, and how much in mill'd Money, or Gold, and all Bills by him paid in Pursuance of this Act. Which Books are to lie constantly open at one certain Place within his Receipt, to which all Persons are to have Access. And every Receiver neglecting to keep such Book, or to enter his Receipts by the Space of three Days, or refusing any Person to inspect the same, shall forfeit 100 l.

CCCXL. A Proviso, That 200000 l. out of the first Bills to be issued, or the first Monies arising by this Act (except the 3 s. Aid, and Loans thereupon) shall be appropriated for Payment for Soldiers Quarters in England, between the first of January, 1694, and the first of January, 1696, not otherwise satisfied before the first of February, 1696, if the said Quarters amount to so much. It shall be Felony to counterfeit the said Exchequer-Bills, without Benefit of Clergy.

CCCXLI. A Proviso, That hammer'd Money shall be current at 5 s. 2 d. *per oz.* after the first of February, 1696, in all Payments, except where it is directed to be received at a greater Value.

CCCXLII. Stat. 8 & 9 W. 3. *cap.* 7. For two Years from the first of March, 1696, a Duty of 20 l. *per Cent.* of the true Value for all Paper, Vellum and Parchment, of what Kind soever, made within this Kingdom, shall be paid by the Makers thereof; and for all Paper, Pastboard, Vellum and Parchment, either in Rolls, Reams, Quires, Books printed or not printed, or otherwise, imported during the said Term, 25 l. *per Cent.* over and above all Customs and Duties already payable for the same.

CCCXLIII. Which Duties on Importations shall be paid by the Importers upon making their Entries of the same, or shall be secured to be paid within three Months after such Entry, with

with a Discount of 10 *l. per Cent. per Annum* for Payment in ready Money, with a Clause of Forfeiture upon landing any such imported Commodities before Entry be made thereof.

CCCXLIV. The said Duties on Importations to be collected by the Officers of the Customs according to the true Value, to be esteemed upon the Oath of the Importer: And the Duties upon the said Commodities made within the Realm shall be ascertained by Commissioners thereunto appointed, their Substitutes or Deputies, under the Direction of the Commissioners of the Treasury.

CCCXLV. In Case of Controversy, the Value of such Goods made within the Realm shall be esteemed by Affidavit of the Makers thereof in Writing, with Liberty to his Majesty's Officers to take such Goods at the Value specified in the said Affidavits, paying down ready Money for the same.

CCCXLVI. The Makers of the said Manufactures shall before the 25th of March, 1697, give Notice in Writing of the Place where such Manufactures are usually made or intended to be made, and the Names and Places of Abode of the Makers thereof, under the Penalty of 20 *l.* And shall not make the same but in such common Places, whereof they shall first have given Notice; and shall permit the respective Officers of the said Duties to take Notice of the Stock of Materials for making the same: And shall within five Days after such Commodities are made, so as to be fit for Use, and before the Removal thereof, make true Entries of the same with his Majesty's Officers; and shall then, or within six Months after, pay the said Duties, and thereupon shall have a Permission *gratis* for carrying the same away, with an Allowance of 10 *l. per Cent. per Annum* for prompt Payment.

CCCXLVII. It shall be lawful for the said Officers to search and see what Quantities of the said Commodities are making, who are not to be refused Entrance, under the Penalty of 10 *l.* And if any Persons shall endeavour to defraud his Majesty of his just Dues for the same, they shall forfeit 50 *l.* and the Commodities concealed, not entred, or unlawfully removed, shall be also forfeited.

CCCXLVIII. All Merchants, Stationers, Wholesale-Sellers, Retailers, Paper-makers, and others, having on the first of March, 1696, any Stock of Paper, Parchment, Vellum or Pastboard for Sale, shall pay a Duty of 17 *l. 10 s. per Cent.* of the true Value thereof within ten Days after the said first of March, 1696.

CCCXLIX. The Persons aforesaid shall deliver to the proper Officer a Particular in Writing signed, of the Quantities, Kinds and Values of the said Goods; which Officers are impowered to take an Account of, and view the said Goods, and shall be permitted so to do under the Penalty of 20 *l.* And if the said Duties be not paid by the 11th of March, 1696, nor secured to be paid within three Months, the said Officers may levy the same

by Distress of the Goods and Chattels of the Persons liable thereunto.

CCCL. Provided that the Persons paying the said Duties by the 11th of March, 1696, shall be allowed 10 l. *per Cent. per Annum* for prompt Payment; and the Valuation of the said Stock shall be esteemed by the Oath of the Owner taken in Writing, with Liberry to the King's Officer to take such Goods at the Value specified in the said Affidavit, paying down ready Money for the same.

CCCLI. Upon Neglect to give in such Particulars before the 5th of March, 1696, or not giving in the full of the said Stock, or carrying away or concealing any Part thereof, before the Duty shall be paid or secured, to forfeit 50 l. and the Goods so not given in, or carried away or concealed, shall be forfeited.

CCCLII. In Case of Seizure and Information or Complaint thereupon within eight Days, two of the next Justices of the Peace are to hear and determine the Matter; and upon Appeals the Justices of the next Quarter-Sessions are to hear and determine the same finally.

CCCLIII. All Entries, Accompts and Permissions aforesaid are to be made *gratis*.

CCCLIV. Provided that upon Exportations beyond the Seas, the Duties so paid or secured, shall be repaid or discharged.

CCCLV. Any Persons may lend on the Credit of this Act 125000 l. at 8 *per Cent.* Interest, free from Taxes, to be paid every three Months, till Repayment of their Principal, which shall be repaid in Course, and the Money not diverted to any other Use; and the Orders for Repayment of Loans to be assignable.

CCCLVI. All hammer'd Monies brought into any of the Mints, not being base or counterfeit, (such being to be cut in Pieces and returned) shall be received at 5 s. 4 d. *per oz.* and duly entred, and Receipt thereof given in Writing, and shall be recoined into mill'd Money; and the Produce thereof, with the Help of such Monies as shall be raised or imprested by this Act (Charges deducted) shall be paid back to the Bringers in of such hammer'd Monies.

CCCLVII. All such hammer'd Monies brought in upon Taxes at 5 s. 8 d. *per oz.* shall in like manner be received, entred, specified, essayed and new coined, and (Charges deducted) delivered back to the respective Receivers and Collectors who brought in the same, to be by them paid into the Exchequer, with an Allowance of the Deficiency in recoinage.

CCCLVIII. The Monies so brought in at 5 s. 4 d. *per oz.* or for Taxes or Revenues, shall be repaid in Course, and not diverted or misapplied, under the Penalty of Loss of Place to the Officers so offending, forfeiting treble Damages to the Party grieved.

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CCCLIX. The clear Monies arising by this Act shall be applied to the making good the said Allowance of *5 s. 4 d. per oz.* for hammer'd Monies, and the Deficiencies of the said Loans made in hammer'd Monies, and the Encouragement for bringing in wroughr Plate to be coin'd, and the Charge of recoinng, and shall not be diverted to any other Use.

CCCLX. Provided, That if this Act raise more than 125000 *l.* clear, then the Overplus shall be brought into the Exchequer, and not disposed of but by Authority of Parliament.

CCCLXI. After the 25th of March, 1697. no Persons shall use any white Linnen Rags for making of brown or coarse Paper, but only for Writing or Printing Paper, under the Penalty of *5 l.*

Anno 8 & 9 W. 3. cap. 12. *An Act for continuing certain additional Impositions upon several Goods and Merchandizes. Vide Customs.*

CCCLXII. Stat. 8 & 9 W. 3. cap. 20. For making good the Deficiencies of several Funds, and enlarging the Capital Stock of the Bank of England, &c. it is enacted, That the Subsidy of Tonnage and Poundage, &c. granted Anno 12. Car. 2. to the said King for Life, and continued Anno 6 W. 3. for five Years, from the 26th of December, 1694, be continued to the first of August, 1706. And that the Acts made Anno 12 & 14 Car. 2. relating to the Customs; and the Act Anno 22 Car. 2. relating to Tillage and Breed of Cattel; and the Acts Anno 25 Car. 2. for taking off Aliens Duties, and relating to the Greenland, Eastland, and Plantation Trades; and the Act Anno 1 Jac. 2. for Improvement of Tillage, and all the Clauses therein, or in the Act Anno 6 W. 3. relating to the Subsidy of Tonnage and Poundage, be of full Force and Effect till the said first of August, 1706.

CCCLXIII. That the Duties upon Wines and Vinegars granted 1 Jac. 2. for eight Years, and since continued by several Acts to the 29th of September, 1701, be further continued till the first of August, 1706.

CCCLXIV. That the Duties on Tobacco granted Anno 1 Jac. 2. for eight Years, and since continued by several Acts to the 29th of September, 1701, be further continued till the said first of August, 1706, under the Rules and Directions relating thereunto, in the Act Anno 7 & 8 W. 3.

CCCLXV. That the additional Impositions upon East-India and other Goods, granted Anno 2 W. & M. cap. 4. and since continued by several Acts to the 29th of September, 1701, be further continued till the said first of August, 1706, under the Directions of the said Act, Anno 2 W. & M. not otherwise altered or provided for by any subsequent Acts now in being.

CCCLXVI. That the additional Impositions on several Goods and Merchandizes granted *Anno 4 & 5 W. & M. cap. 5.* for four Years, be continued to the said first of *August, 1706.* under the Rules of the said Act, subject to the Exceptions and Provisions in this present Act, *viz.* That the additional Duty of 20 s. per Ton for *Lapis Calaminaris* exported, be only 2 s. And that Bar-Iron unwrought, or slit or hammer'd Rod-Iron, imported from *Ireland* (other than *Swedish* or Foreign Iron) be discharged of the Impositions laid on the same by this or the said Act, 4 & 5 *W. & M.* And that the Alterations made by any other Acts in Being touching the said Impositions, be observed.

CCCLXVII. That the Duties on Vellom, Parchment and Paper, granted *Anno 5 & 6 W. & M. cap. 21.* for four Years, from the 28th of *June, 1694,* be continued till the said first of *August, 1706.* under the Rules of the said Act, except where altered by any other Act. This Act continued *per 5 Anna, cap. 19.* for 69 Years. See *Annuities, 113.*

CCCLXVIII. That the Duties on Marriages, Births and Burials, &c. granted *Anno 6 & 7 W. 3. cap. 12.* for five Years from the first of *May, 1695,* be continued till the said first of *August, 1706,* under the Rules of the said Act.

CCCLXIX. And that the Duties on Houses, granted 7 & 8 *W. 3.* for seven Years, from the 25th of *March, 1696,* be continued till the first of *August, 1706.* under the Rules of the said Act. Continued *per 1 Anna, cap. 13.* till 1 *August, 1710.*

CCCLXX. His Majesty may constitute Surveyors or Inspectors of the said Duties on Marriages, Births and Burials, and upon Houses and Windows, who shall certify the Neglects or Failures in the Assessments of those Duties to the Commissioners, that so all Persons may be duly assessed accordingly.

CCCLXXI. That the Duties on Batchelors and Widowers, who are Servants in Husbandry, be paid by the Master or Mistress, and deducted out of their Wages. That Houses inhabited by two or more Families, be charged as if inhabited by one Family only. That every Edifice in the Inns of Court or Chancery, be charged as an entire House, according to their several Tenures or Occupations. And that every House left to the Care of any Person or Servant, be charged as an inhabited House.

CCCLXXII. And for restoring of Credit, &c. enacted, That the present Stock of the Bank of *England* be enlarged by new Subscriptions of Natives, Foreigners or others: But that before such Enlargement, and before the 24th of *July, 1697,* the said Stock shall be computed by seven of the present Members, and seven of the new Subscribers, or in Default thereof by the Lord Keeper, at any Time before the 24th of *August, 1697.* And if the clear Stock amount not to 1200000 *l.* the old Members to make it up in Tallies, Orders, Bank-Bills or Notes; but if it exceed

exceed 1200000 *l.* then the Surplus to be divided among the said old Members.

CCCLXXIII. Seven or more of the Commissioners appointed by his Majesty for that Purpose, shall take such new Subscriptions before the 24th of June, 1697, in Books to be provided before the 27th of April, 1697, and in such convenient House or Houses in London and Westminster, as they shall provide and give Notice of.

CCCLXXIV. Four Fifths of each particular Subscription shall be at the Time of subscribing answered by Tallies or Orders upon the first, third or fourth Aid of four Shillings *per Pound*; the quarterly Poll; three Fourths of the Customs; the Salt-Act; two Thirds of the additional Excise; the additional Impositions; the Parchment Act; the 300000 *l. per Annum* on Tonnage and Poundage; the Duties on Marriages, Births and Burials, &c. on Wines, Vinegar and Tobacco, &c. on Joint Stocks, &c. on Low Wines, &c. on the 6000 *l. per Week* out of the Excise, or the 600 *l. per Week* out of the Post-Office; and the other fifth Part in Bank-Bills or Notes.

CCCLXXV. After the 24th of June, 1697, Interest of eight *per Cent. per Annum* shall be allowed for the Tallies and Orders so subscribed, out of the Funds or Provisions granted by this Act.

CCCLXXVI. The Interest payable to the Bank upon so many Tallies or Orders as the Bank is already possessed of, whereof the Principal shall be equal to the said fifth Part subscribed, in Bank-Bills or Notes, shall be likewise augmented to eight *per Cent. per Annum* after the said 24th of June.

CCCLXXVII. And the said new Subscribers shall after the said 24th of June, be Members of, and united to the present Bank of England, by the Name of the Governor and Company of the Bank of England, with perpetual Succession, and a Common Seal, &c.

CCCLXXVIII. Provided, That upon twelve Months Notice after the first of August, 1710, upon Repayment by Parliament to the said Bank, the 1200000 *l.* mentioned in the Act for granting several Rates upon Tonnage, &c. and all Arrears of the 100000 *l. per Annum*, and all the Principal and Interest which shall be due to the said Bank upon Tallies, &c. then the said Bank to cease and determine. But that during the Continuance of this Bank, no other Bank shall be erected or permitted by Act of Parliament.

CCCLXXIX. The Interest due on Tallies and Orders subscribed into the Bank, shall be accepted as so much Principal Money.

CCCLXXX. The said Bank may borrow or give Security for by Bills (over and above the 1200000 *l.* to which they were at first limited) any Sum, not exceeding the Sum subscribed, under an Obligation of paying the said Bills in Money upon Demand;

mand; and in Default thereof, the said Bills to be paid at the Exchequer, out of the first Money due unto the Bank, other than the Fund of 100000 *l. per Annum*. But that these Bills shall be distinguished from the Debts contained within the said 1200000 *l.*

CCCLXXXI. The Capital Stock and Fund of the said Bank shall be exempt from Taxes.

CCCLXXXII. After the completing of the said Subscriptions, the Interest of all Tallies and Orders subscribed, together with the said 100000 *l. per Annum*, shall be applied to the Use of the Bank, proportionably to each Member's Share therein.

CCCLXXXIII. After the 25th of *March*, 1697, the Stock of the said Bank shall be accounted a Personal, and not a Real Estate, and descend accordingly; and no Bank-Stock shall be sold without registering the Contract thereof at the Bank within seven Days, and actually transferring it within fourteen Days.

CCCLXXXIV. No Act of the Bank shall forfeit the Stock thereof, provided they pay their Debts. And it shall be Felony to counterfeit the Common Seal of the said Bank, or any sealed Bank-Bill, or any Bank-Note, or alter or erase such Bills or Notes.

CCCLXXXV. The Officers of the Exchequer shall keep distinct Accounts of all Monies appropriated or due to the said Bank, either upon the Fund of one hundred thousand Pounds *per Ann.* or any other Parliamentary Funds, or for Tallies belonging to the said Bank; and shall duly direct, record and make Payment thereof, under Penalty of Loss of Place, &c.

CCCLXXXVI. The Monies arising by the Continuation of the Subsidy of Tonnage and Poundage, &c. by Wines, Vinegar and Tobacco, &c. by the additional Impositions on Goods and Merchandizes; by Vellom, Parchment and Paper; by Marriages, Births and Burials, &c. and by the Duties on Houses, from the Times that the said Duties are severally continued, as aforesaid, till the first of *August*, 1706. And by the Surplus of the said Duties on Wine, Vinegar and Tobacco, &c. over and above the 1500000 *l.* Credit given thereupon, and the Interest thereof arising by the Act continued till the said 29th of *September*, 1701. And also on Houses, (after the Repayment of 7382 *l.* 11 *s.* 4 *d.* borrowed thereon, and the Interest thereof; and after that the Bills signed at the Mints for Sixpence *per Ounce*, upon Plate brought in between the fourth of *May*, 1696, and the fourth of *November*, 1696,) arising by the Act granted for seven Years from the 25th of *March*, 1696. And upon Salt, Glass Wares, &c. (after the Repayment of 1724000 *l.* borrowed thereon, and the Interest thereof) arising by the Act *Anno* 7 & 8 *W. 3.* shall be the general Fund for making good the particular Funds or Deficiencies in this Act expressed, and shall be appropriated and applied accordingly.

CCCLXXXVII. And

CCCLXXXVII. And the Monies arising by the said general Fund, before the 28th of *June*, 1698, as well for the Duties on Houses (after the said 7382 *l.* 11 *s.* 4 *d.* and the Interest thereof, and the 6 *d.* per Ounce for Silver is satisfied) as for the said additional Duties on Goods and Merchandizes continued from *ult. February*, 1696. shall be applied towards Interest due to the Bank of *England*, or others, for Loans upon the first, third and fourth four Shillings Aids; the Quarterly Poll; three Fourths of the Customs; and two Thirds of the additional Excise; and upon the additional Impositions, ending the first of *March*, 1696, and out of the same Monies the Bank shall receive so much as will make their Part of the Interest 8 *l.* per Cent. for all their Tallies and Orders.

CCCLXXXVIII. Provided, That if the said Money fall short, a proportionable Part, so far as it will extend, shall be applied to the Interest of each of those Funds: And if there be an Overplus, the same to go towards the principal Monies upon each of those Funds proportionably.

CCCLXXXIX. And the Monies arising by the said general Fund after the 28th of *June*, 1698, as well by the said Duties on Houses, and additional Impositions, as at any Time or Times for the said Duties on Vellom, Parchment and Paper, continued from the 28th of *June*, 1698, to the first of *August*, 1706. And for Tonnage and Poundage, &c. continued from the 25th of *December*, 1699, to the first of *August*, 1706. And for Marriages, Births and Burials, &c. continued from the first of *May*, 1700, to the first of *August*, 1706. And for Wines, Vinegar and Tobacco, &c. continued from the 28th of *September*, 1701, to the first of *August*, 1706. And by the said Surplus on Wines, Vinegar, and Tobacco, &c. and on Salt, Glass Wares, &c. shall be applied towards Principal and Interest of the said first, third and fourth Aids of four Shillings per Pound; the Quarterly Poll; the three Fourths of the Customs; the Duties on Salt, &c. the two Thirds of the additional Excise; the additional Impositions; the Duties on Vellom, Paper and Parchment; on Marriages, Births and Burials, &c. on Wines, Vinegar and Tobacco, &c. and the 300000 *l.* per Annum, out of Tonnage and Poundage, in Proportion to the respective Deficiencies, as computed in this Act.

CCCXC. And by the 26th of *July*, 1698, and thenceforth every twenty-eight Days, an Account shall be made up at the Treasury, of all the Monies brought in, applicable to the said deficient Funds, which shall be applied proportionably as aforesaid, as well to the Bank of *England*, as other Persons entitled to Principal and Interest thereon: And that out of the said general Fund the Interest due to the Bank shall be made up 8 *l.* per Cent.

CCCXCI. Pro-

CCCXCI. Provided, That where any Revenue is already appropriated by Parliament for Repayments in course, the same shall be paid accordingly; but that the new Funds in this Act shall be applied as hereby prescribed.

CCCXCII. And in case of Judgment of Forfeiture given against the said Bank, the yearly Payments out of the Exchequer, and all the Estate belonging to the said Bank, shall be vested for three Years in twenty four Persons, or Trustees, chosen by the Bank, who shall have full Power to receive the Monies due unto the said Bank, as if no such Judgment had been given, and to pay and discharge the Debts due at the Time of such Judgment. After which the Surplus shall be divided amongst the several Members: And then the said yearly Payments shall be vested in the particular Members, their Executors, Administrators and Assigns, in Proportion to a List thereof to be made up by the said Trustees, and shall be assignable.

CCCXCIII. The said Bank may employ a Clerk to take Records of any Extents, Judgments, &c. in any the Offices of Record at *Westminster*, paying as for a Search only.

CCCXCIV. No Member of the said Bank shall be adjudged a Bankrupt, by reason of his Stock in the said Bank, nor the said Stock be subject to any Foreign Attachment.

CCCXCV. The Monies received out of the Exchequer for the said Bank, shall once in every four Months be divided among the Members proportionably, for their particular Use and Benefit only.

CCCXCVI. Provided, That the Debts of the said Bank shall never exceed their Capital Stock, under Penalty of subjecting the Overplus of their particular Shares and Dividends so received, to satisfy the said Debts.

CCCXCVII. If at the End of one Year after the 24th of June, 1697, the said Funds for Interest shall appear insufficient, they shall be made up of such Aids, &c. as shall be granted the then next Session of Parliament, and so in any succeeding Year.

CCCXCVIII. And if upon the first of August, 1706, or within three Months after, the Produce of the several Aids, &c. shall not be sufficient to discharge the Principal and Interest intended to be discharged by this Act, then the same shall be supplied out of such Aids, &c. as shall be granted the then next Session of Parliament.

CCCXIX. The present Governor, Deputy Governor and Directors of the Bank, shall continue till the 24th of June, 1697, and till others be chosen, which shall be before the 24th of July, 1697. And those new chosen to continue till the 25th of March, 1698. But in that and all future Elections, not above two Thirds of the Directors of the preceding Year to be chosen.

CCCC. After

CCCC. After the 25th of *March*, 1697, and till the 25th of *December*, 1699, there shall be paid for Salt, over and above all other Duties already payable, the Rates following, *viz.* For every Gallon of Salt imported, 2 *d.* And for every Gallon of Salt or Rock Salt made at Salt-Works, 1 *d.* to be collected and answered, pursuant to the Rules and Directions of the Act, *Anno* 5 & 6 *W. & M.* touching the Duty upon Salt; and the Act, *Anno* 7 & 8 *W.* 3. for continuing the said Duty: But with an Allowance upon Exportation, For every Cask of Pilchards or Scads of 50 Gallons, 8 *s.* every Barrel of White Herrings, 20 *d.* of Red Herrings, 16 *d.* of Salmon, 3 *s.* 4 *d.* and every hundred of Cod-fish, Ling or Hake, 10 *s.* over and above all former Allowances with a Drawback of the Duty for all exported Salt.

CCCCI. This Duty upon Salt shall be appropriated (with the said other Duties) to Payment of Interest due before the 25th of *December*, 1699, to the Bank or others, upon the deficient Funds, and the Overplus towards the Principal.

CCCCII. For five Years after the 10th of *June*, 1697, or before the End of the next Session of Parliament, no Person shall give or take directly or indirectly, for any Talley or Order above 6 *l. per Cent.* more than the Interest thereof, under Penalty of treble the Value of the Principal, and to suffer as an Extortioner.

CCCCIII. And after the said 10th of *June*, 1697, no Orders or Tallies shall be transferred but by Writing signed and registred, and Affidavit made (if payable by Order at the Exchequer) before the Auditor of the Exchequer or Clerk of the Pells; or if payable by Talley of *Pro* at the Excise-Office, Post-Office, or other publick Office, then before one or more Commissioners of Excise, or Post-Masters General, or other Chief Officers in such publick Office; that no Allowance whatsoever exceeding the Interest at 6 *l. per Cent.* as aforesaid, hath been taken or agreed to be taken for such Assignment; which Assignments and Affidavits shall be made, registred, administred and noted *gratis*.

CCCCIV. And every Broker or Solicitor who shall after the said 10th of *June*, take above two Shillings six Pence for the Brokage of one hundred Pounds, shall forfeit twenty Pounds; and contracting for any *Premium* contrary to this Act, shall forfeit five hundred Pounds, and suffer as an Extortioner.

CCCCV. But Persons having actually bought Orders of Loan or Tallies before the said 10th of *June*, and shall make Oath thereof, shall not be obliged to take the Oath touching *Premium*.

CCCCVI. The Bills of Credit authorized to be issued this present Session of Parliament, shall be received and taken not only by the Receivers or Collectors of Taxes granted, or to be granted for the War this Year, 1697, but be current to the Commissioners, Receivers or Collectors of any Tax or Supply granted, or to be granted this present Session. and also at the Exchequer: And that there shall be an Allowance upon the said Bills of five Pence

Pence a Day for every hundred Pounds till Payment thereof; at which Time the Person so answering the same to his Majesty, shall put to his Name and Day of the Month.

CCCCVII. And the said Bills are not to be cancelled, except by the Tellers of the Exchequer, but as they are issued out, are to be signed and dated *toties quoties*.

CCCCVIII. And in case any of the said Bills should be refused, the Commissioners of the Treasury may contract with any Persons to advance ready Money for exchanging and circulating the said Bills, upon such Security as shall be agreed on, and a further Reward, not exceeding 10 *l. per Cent. per Annum*; and the Interest-Money shall be paid to such Contractors out of the Supplies granted for the War for *Anno* 1697.

CCCCIX. Provided, That till the said Bills for 1500000 *l.* can be exchanged for ready Money, they shall be current only for the Taxes granted for the War for *Anno* 1697. exclusive of the three Shillings Aid; but afterwards for all Taxes or other Payments to his Majesty.

CCCCX. All the present Governors of any *English* Plantations, shall before the 25th of *March*, 1698, (and the future Governors within six Months after their Entrance upon their Governments) take the Oath appointed in the Act, *Anno* 7 & 8 *W. 3.* to do their utmost that the Acts relating to Shipping, Navigation, Trade, and the Plantations, made *Anno* 12 & 15 *Car. 2.* and 7 & 8 *W. 3.* be punctually observed.

CCCCXI. After the first of *May*, 1697, any Tobacco-pipe-Maker, upon drawing his Tobacco-pipes, finding them unfit for Sale, may (on Notice to the Officer in that Behalf) return the same, and then pay Duty thereon established by the Act, *Anno* 7 & 8 *W. 3.*

CCCCXII. Stat. 8 & 9 *W. 3. cap. 21.* For three Years from the 20th of *April*, 1697, there shall be paid to his Majesty for all Leather tanned, tawed, dressed or made in this Kingdom, or imported (over and above all Duties already payable) a Duty of 15 *l. per Cent.* of the true Value of such Leather, made of any Hides, Skins, or pieces of Hide, or Skins of any Beasts or Creatures whatsoever; to be answered by the Tanners, Makers, Dressers or Importers.

CCCCXIII. The Duties on Foreign imported Leather, Hides, &c. manufactured or not, shall be paid by the Importers in ready Money, at the Entry, and before the Landing of the same, under Penalty of forfeiting such Leather, &c. or the Value thereof.

CCCCXIV. The said Duty shall be under the Management of the Commissioners of the Customs, and the Monies arising thereby shall be paid into the Exchequer distinct from all other Monies.

nies. The Value of such Leather or Commodities shall be esteemed upon the Oath of the Merchant or Importer, in such Manner as in Goods *ad valorem*.

CCCCXV. All Chief Magistrates of Cities and Towns, Lords of Liberties, Fairs and Markets, Masters and Wardens of Companies concerned, and all Tanners, Curriers, Shoemakers, and other Artificers and Persons concerned in the Act, *Anno 1 Jac. 1.* touching the true and well tanning, currying, and working of Leather, and the buying and selling the same, &c. shall duly execute the said Statute under the Penalties thereof.

CCCCXVI. His Majesty, or the Treasury, may appoint Commissioners or Surveyors for the said Duties, who may substitute Deputies or inferior Officers under them.

CCCCXVII. The Value of all imported Leather shall be so much as the same is worth to be sold for in *London*, without any Allowance for the Duties charged thereupon.

CCCCXVIII. And the Value of all Leather tanned, rawed, made or dressed, shall be what the same is worth to be sold for at the next Market, without respect to the Duty.

CCCCXIX. All Tanners, Basil Tanners, Curriers, Towers, Makers or Dressers of Leather, shall before the 20th of *May*, 1697, give Notice in Writing to the proper Officer at the next Market-Town, of every Tan-house, Work-house or Place by them used, and the Number of Pits or Pans therein; and from Time to Time, during the Continuance of this Act, shall give like Notice of their respective Names and Places of Abode, Yards and Work houses, used or intended to be used by them, before they make Use thereof, under Penalty of fifty Pounds.

CCCCXX. And no Place is to be made Use of for drying of Leather, or making it fit for Sale, but such as shall have been so notified to the proper Officer to be the usual Place for the same.

CCCCXXI. And the said Officers are to be permitted to take an Account of the Number and Quality of all Hides, Skins or Pieces, which after the 20th of *April*, 1697, shall be taken out of the Wooze, Mill or Liquor, to be dried, &c. And the Tanners, &c. are within three Days after the taking out thereof, and before the carrying away of the same from the Place of drying, to make a true Entry thereof with the proper Officer, and shall not carry the same away without a Permission in Writing from such Officer, or giving him three Days Notice; which Permission to be *gratis*, and such Notice not to be sent further than to the next Market.

CCCCXXII. The proper Officers are impowered at seasonable Times to enter into any Tan-yard, Work-house, Warehouse, &c. to take Notice of the Quantities of Leather taken out of the Woozes, &c. and not be refused such Entrance under Penalty of five Pounds.

CCCCXXIII. If

CCCCXXIII. If any Tanner, &c. endeavour to defraud his Majesty of any of the said Duty, by using any private Tanyard, &c. or not making due Entries, or carrying away without such Permission or Notice, or shall fraudulently hide or conceal any Leather, &c. he shall forfeit twenty Pounds; and the Leather so concealed, not entred, or unlawfully carried away, shall be forfeited also; but no Fee or Reward shall be taken for such Entries, Accompts, Permissions or Certificates.

CCCCXXIV. After the 20th of April, 1697, no Leather, for which the Duty ought to be paid, shall be sold, exchanged or parted with, but in some open Fair or Market, where the same shall be entred particularly, and the true Value thereof, with the proper Officer, before its Delivery.

CCCCXXV. And the Duty shall thereupon be paid in ready Money to the Collector, who shall deliver back a Copy of such Entry, with an Acquittance for the Monies so received.

CCCCXXVI. Upon Controversie touching the Value of any such Leather, &c. so sold or agreed for, the said Officer, if he think his Majesty apparently defrauded in the Value so registred, may take it at the Price for his Majesty's Use, paying down ready Money, and 2 s. per Pound over.

CCCCXXVII. No Buyer or Contractor for such Leather shall carry away the same before it be so entred, and the Duties paid.

CCCCXXVIII. If any Tanner, &c. shall sell, exchange or part with any Leather, otherwise than according to this Act, or if any Buyer or Contractor shall carry away the same, before the Value be registred, and the Duty satisfied, they shall forfeit 40 l. respectively; and the said Leather shall be also forfeited and seized.

CCCCXXIX. In case of seizing any such Leather, and an Information laid, or Complaint made within fifteen Days, before two of the Justices of the Peace, such Justices may hear and determine the same upon Oath, reserving an Appeal to the Justices at the next General Quarter-Sessions, to hear and determine the same finally.

CCCCXXX. Every Tanner, &c. shall once in three Months accompt with the proper Officer, for all the Hides, &c. taken out of the Wooze, &c. according to the Entries thereof, and discharge the same by Leather sold and paid for, or by Leather remaining not carried out, or by Leather carried to Market by Permission and unfold; which Accompt every such Tanner, &c. is to make upon Demand, under Penalty of twenty Pounds, subject to the Examination of the proper Officer, and the Penalties of defrauding.

CCCCXXXI. Provided, That Foreign Raw Hides or Skins (of Negro-Dress) shall not pay the Duty till tanned, tawed, dressed or made into Leather.

CCCCXXXII. All Collar-makers, Glovers, Bridle-cutters and others, who raw or make Leather in Oil, Allom or Salt, and cut and make the same into Wares, are accounted Tawers or Makers of Leather within this Act. But shall not be obliged to carry such Wares to Market, but forthwith enter such Leather, with the proper Officer, before it be made into Wares, and to make Oath of the Value thereof, and pay the Duty for the same.

CCCCXXXIII. But if they shall make such Leather into Wares, before Entry thereof, and the Duty paid, or sell any such Leather, and not first make the same into Wares, they shall forfeit for every such Offence, 5 *l.*

CCCCXXXIV. Every Tanner, Leather Dresser, Currier, Leather-seller, Shoe-maker, Coach-maker, Collar maker, Bridle-cutter, Sadler, and other Maker, Dresser, Merchant, Dealer or Worker in Leather, shall pay twelve Pounds ten Shillings *per Cent.* for the Stock of Leather in their Possession, or elsewhere to their Use, the said 20th Day of *April*, not made into Wares, to be answered within three Months after the said 20th Day of *April*.

CCCCXXXV. And to that End shall deliver a Particular of the same in Writing signed to the proper Officer; who may enter into any Shops, Warehouses, &c. to take an Account thereof, and view the same; and shall be permitted so to do, under Penalty of 20 *l.* And the Officer being satisfied of the Quantity and Value of such Stock not made into Wares, is to collect the said Duty accordingly, giving Acquittances *gratis*; but if the said Duty be not paid within three Months, nor in that Time secured to be paid within three Months after, then to levy the same by Distress.

CCCCXXXVI. Provided, If such Duty be paid within three Months, an Allowance be made for prompt Payment, after the Rate of ten *per Cent. per Annum*; and upon Controversie, such Stock to be valued by the Oath of the Owner, made in Writing, before a Justice of Peace, and delivered to the Officer, who (if he thinks the King apparently defrauded) may take the same to his Majesty's Use at the Value specified, paying down ready Money.

CCCCXXXVII. Every Person neglecting to give in such a Particular by the first of *May*, 1697, or fraudulently omitting or carrying away any of the said Stock, before the Duty be paid or secured, shall forfeit twenty Pounds; and the said Stock not given in, or fraudulently omitted or concealed, or carried away, shall be also forfeited and seized.

CCCCXXXVIII. Upon exporting any such Leather, Boots or Shoes, or other made Ware, and giving Security not to reland the same in this Kingdom, the Customer or Collector shall give the Exporter a Certificate thereof.

CCCCXXXIX. And upon producing such Certificate for any Hides, Backs or Buts of Leather to the Collector who received the said Duties, and proving upon Oath that such Goods so exported, are the same for which the said Duties were paid; the Collectors or Commissioners for the said Duty on Leather, shall repay the Exporter two Thirds of the said Duty.

CCCCXL. And upon a like Certificate for any Boots, Shoes, or other made Ware exported, and like Proof of Payment of the Duty for the Leather so converted into Boots, Shoes, &c. the Exporter to be repaid five *per Cent. ad valorem*, to be affirmed by the Oath of the Exporter.

CCCCXLI. But upon relanding any of the said Goods in *England*, so shipped for Exportation, the same and treble the Value thereof shall be forfeited.

CCCCXLII. For discharging the Sum of 140000 *l.* for making good the Annuities charged upon the late Duties of Tonnage, and a further Sum of 140000 *l.* for making good the Annuities charged on the Duties on Salt, any Persons, Natives or Foreigners, having an Estate for one Life in an Annuity of fourteen Pounds *per Annum*, purchased for one hundred Pounds, upon the Acts mentinned in the Act for Annuities, *Anno 6 & 7 W. 3.* may before the 24th of *June*, 1697, pay four Years Purchase, or fifty-six Pounds more for changing or converting such single Life into a certain Term, for the Residue of ninety-six Years, from the 25th of *January*, 1695, or for a further Interest in the said ninety six Years, after the single Life, and in the same Proportion for higher or larger Annuities.

CCCCXLIII. And if the Persons entitled to such Annuities for Life, do not before the said 24th of *June*, change the same into a Term certain, or for a future Interest, then any other Persons may before the 29th of *September*, 1697, purchase the remaining Term, after the Life in being, at the same Rate of four Years Purchase, or fifty-six Pounds for each fourteen Pounds *per Annum*.

CCCCXLIV. Provided, That such Persons as are entitled to any Arrears, between the 17th Day of *May*, 1696, and the 17th Day of *May*, 1697, upon the Annuities charged on the said Duties on Tonnage or Salt, and shall upon their Orders, Tallies or Lottery-Tickets for such Arrears, discharge his Majesty so much as will purchase such further Interest or Term, as aforesaid, shall thereupon be entitled to such Annuities so purchased.

CCCCXLV. And the Directions of the said former Act, for the establishing any Matter relating to such Annuities, shall be revived and observed.

CCCCXLVI. The Monies arising by the Purchase of such further Estates in the said Annuities, shall go to the Payment of the Arrears of Annuities, charged on the five Sevenths and two Sevenths of the Tonnage Duties, and on the Salt Duties, incur red

red between the 17th Day of May, 1696, and the 17th Day of May, 1697, proportionably.

CCCCXLVII. All the clear Monies arising by the said Duties on Leather, shall be appropriated to pay off the Remainder of 564700 *l.* yet unpaid, lent on Credit of the Act, Anno 6 & 7 W. 3. for granting certain Duties on Glass Wares, Stone and Earthen Bottles, Coals and Culm, and the Interest thereof; and shall be weekly brought into the Exchequer for that Purpose, and not diverted to any other Use.

CCCCXLVIII. And so much of the said Sum of 564700 *l.* and Interest, as the said Duties on Leather for three Years, shall fall short of, shall be paid to the Lenders thereof, out of any the next Aids which shall be granted in Parliament, after the said three Years; and so much of the 280000 *l.* as the said Contributions for Annuities shall fall short of, shall be paid unto the respective Proprietors out of the first Aids to be granted in Parliament, after the 29th of September, 1697.

Anno 8 & 9 W. 3. cap. 22. *An Act for granting to his Majesty certain Duties upon Malt, Mum, Sweets, Cyder and Perry, as well towards carrying on the War against France, as for the necessary Expence of his Majesty's Household and other Occasions. Vide Exrse.*

CCCCXLIX. Stat. 8 & 9 W. 3. cap. 24. *An Act for granting to his Majesty a further Subsidy of Tonnage and Poundage upon Merchandizes imported, for the Term of two Years and three Quarters, and an additional Land-Tax for one Year, for carrying on the War against France, Vide Customs, for the former Part of it.*

CCCCCL. And whereas by an Act of this present Parliament, (*sc.* 8 W. 3. cap. 6.) for granting a Supply of three Shillings in the Pound by a Land-Tax, &c. it is thereby enacted, That all Lands, Tenements and Hereditaments whatsoever, be charged for one Year, with three Shillings in the Pound of the true yearly Value, to be paid by twelve equal Monthly Payments, the first Payment to be made the 25th of February, 1696, And that every Papist or reputed Papist of the Age of sixteen Years, who had not taken the Oaths required, Anno 1 W. & M. cap. 8. should pay double, unless such Papist did take the same within ten Days after the first Meeting of the Commissioners. And that every Person of the Age of sixteen Years, who, not having taken the Oaths, did not upon Summons take the same, should also pay double: And that every Gentleman or so reputed, who ought to have paid double to the Quarterly Poll, Anno 3 W. & M. and did not voluntarily take the same before the Commissioners, within ten Days after their first Meeting, should likewise pay double: And that the Commissioners should, upon Information

or Suspicion, summon every suspected Person to take the said Oaths; but that Quakers making and subscribing the Declaration of Fidelity appointed *Anno 1 W. & M.* should not be liable to pay double.

CCCCLI. For a further Supply it is enacted, That all Lands, Tenements and Hereditaments whatsoever, charged by the other Act with three Shillings in the Pound, shall now be charged for one Year, from the 25th of *January*, 1696, with the farther Sum of one Shilling in the Pound, *viz.* four Shillings *per Pound* in the whole.

CCCCLII. And all Persons who by the other Act ought to pay double, or six Shillings *per Pound*, shall pay two Shillings in the Pound over and above the said six Shillings.

CCCCLIII. The Commissioners appointed for the three Shillings in the Pound, shall be Commissioners for this present Act of one Shilling *per Pound*, and the said double Rates, with all the Powers and Authorities of the said other Act. And the Assessors and Collectors of the three Shillings, shall be the Assessors and Collectors of the one Shilling, and the said double Rates.

CCCCLIV. For the avoiding repeated Assessments, the Assessors and Collectors shall charge, collect and levy one third Part of the Duty of the three Shillings, and double Rates, for and in Satisfaction of the said Rate of one Shilling, and the double Rates, by Calendary Months, the first Payment for three Months to be on the 25th of *April*, 1697, or within fourteen Days after, and afterwards each Calendary Month successively, in such Manner as they are required by the said other Act of three Shillings *per Pound*, and shall pay the same to the Head Collectors accordingly, to be answered by the Receivers-General into the Exchequer, according to the Directions of the said other Act. And all Persons concerned or employed by Virtue of this Act, shall be subject to the Penalties, and have the Benefits of the said other Act. And all Lands, Tenements and Hereditaments, subject by Distress or otherwise to the Rates of the three Shillings *per Pound*, shall in like Manner be subject to the Rates of one Shilling *per Pound*.

CCCCLV. And whereas by the said other Act of three Shillings in the Pound, &c. the Commissioners of the Treasury may issue Exchequer-Bills, not exceeding the Sum of 1500000 *l.* for the Use of the War; and by the Act for making good the Deficiencies of Funds, &c. the said Bills are to be current to the Receivers or Collectors of any Tax or Supply granted this Session for the War, or otherwise, and also at the Exchequer, with 5 *d.* *per Day* Interest for each hundred Pounds: It is further enacted, That the Commissioners of the Treasury may issue Exchequer Bills not exceeding 1200000 *l.* over and above the said 1500000 *l.* so as there be not at any one Time above 2000000 *l.* standing out
in

in such Bills; which Bills to have like Currency and Interest as the said Bills for 1500000 *l*.

CCCCLVI. The Persons contracting with the Treasury, to advance Money for circulating the said Bills for 1500000 *l*. shall be discharged of their Contracts, as soon as the Sums by them agreed to be advanced, shall be called for and paid, or so soon as Bills for 1500000 *l*. issued by the former or this present Act, shall be cancelled, or that the Funds for the War for this present Year, shall have produced sufficient to take up and cancel the same.

CCCCLVII. The Commissioners of the Treasury may in like Manner agree for the advancing any further Sums for exchanging such Bills of the said 1200000 *l*. as may be refused at the Rate of 10 *l*. per Cent. per Annum.

CCCCLVIII. The Bills issued for the said 1500000 *l*. and 1200000 *l*. which shall not be cancelled by the Produce of those Funds by the 25th of March, 1698, shall be taken up and cancelled by the Arrears of those Funds, or by the Monies granted next Session of Parliament. And the Persons advancing Monies for exchanging such Bills of the 1200000 *l*. as shall be refused, shall be discharged of their Contracts as soon as the Sums contracted for shall be paid by them; and if the same be not called for by the 25th of March, 1698, they shall thenceforth be absolutely discharged of their Contracts.

CCCCCLIX. Till it shall be published by Proclamation that the Treasury hath made Provision, that the said Bills may be exchanged for ready Money, such Bills for the 1200000 *l*. shall be current only in the Supplies granted for the War this present Year, 1697, (except the three Shillings in the Pound.)

CCCCCLX. It shall be Felony, without Benefit of Clergy, to forge or counterfeit any of the said Bills, or demand Money thereon, knowing the same to be counterfeited.

CCCCCLXI. Out of the Monies arising by this Act, by Bills of Credit, or otherwise, 672197 *l*. is appropriated for the Navy, and for the Sea-Service in the Office of the Ordnance, the Ordinary of the Navy, the Payment of Marine Officers, and charge the registering Seamen, to compleat the Sum of 2372197 *l*. for those Services; and the Remainder of the Land-Forces, Ordnance, Ammunition and Incidents of War.

CCCCCLXII. The Rules and Directions in the Act, Anno 1 W. & M. for granting an Aid of two Shillings per Pound, touching the Payment thereof and Management in the Exchequer, with the Penalties in case of Diversion, shall be revived and applied to the Sums hereby appropriated.

CCCCCLXIII. Stat. 8 & 9 W. 3. cap. 25. Enacted, That from the 24th of June, 1697, until the 25th of June, 1698, there shall be paid to his Majesty, his Heirs and Successors, by every

Hawker, Pedlar, Petty-Chapman, or other trading Person going from Town to Town, or to other Mens Houses within *England, Wales,* or Town of *Berwick*, carrying to sell, or exposing to Sale any Goods, Wares or Merchandizes, a Duty of four Pounds, and every Person so travelling with Horse, Ass or Mule, or other Beast bearing or drawing Burthen, shall pay the Sum of four Pounds, during the foresaid Time, for every Horse, Ass, or Beast he or she shall travel with, over and above the first mentioned four Pounds.

CCCCXLIV. Every Pedlar, Hawker, or other travelling Person so travelling, as aforesaid, shall, before the 24th of *June*, 1697, deliver to the Commissioners for Transportation, or to the Persons deputed by them, a Note in Writing under his or her Hand, or under the Hand of some Person by him or her authorized, in what Manner he or she will travel and trade, whether on Foot, or with one or more Horse, Ass, &c. for which the Party shall pay to the Commissioners or Deputies, one Moiety of the Duty by this Act payable for the same, and give Security by Bond, with one or more Sureties, to be taken in his Majesty's Name, for the Payment of the other Moiety, at the End of six Calendar Months, unless the Party shall choose to pay it down, in which Case two Shillings in the Pound shall be allowed for prompt Payment; and thereupon a Licence shall be granted to him or her so to travel or trade, by two or more of the said Commissioners for Transportation.

CCCCXLV. If any such Hawker, &c. after the 24th of *June*, 1697, be found trading as aforesaid, without, or contrary to such Licence, such Person shall, for every such Offence, forfeit twelve Pounds one Moiety to the Informer, the other to the Poor of the Parish where such Offender shall be discovered. And every Person so trading, who, upon Demand, shall refuse to shew any Justice of the Peace, Mayor, Constable, or other Officer of the Peace, his or her Licence for so trading, shall forfeit five Pounds to the Churchwardens, for the Poor of the Parish where such Demand shall be made, and for Non-payment, shall suffer as a common Vagrant, and be committed to the House of Correction.

CCCCXLVI. The said Commissioners, or any two of them, upon the Terms, and Receipt, and Security given, as aforesaid, shall grant a Licence to every Hawker, &c. for him or herself alone, or with one or more Horses, Asses, &c. as the Case shall require; for which Licence they shall take one Shilling, unless such Hawker, &c. travels with Horse, Ass, &c. and then two Shillings, and no more. The said Commissioners shall keep a distinct Account of the Duties arising by this Act, and pay the same into the Exchequer weekly on *Wednesday* (unless a Holiday) under the Penalties which the Officer of the Exchequer herein after mentioned, shall be liable unto. Which Money so paid in shall

shall be applied to the paying the Interest of the 330769 l. 10 s 7 d. in such Manner as by the A^t 6 & 7 Will. 3. (cap. 7.) is appointed.

CCCCLVII. Whosoever shall forge or counterfeit any Licence, or travel with such, shall forfeit fifty Pounds, one Moiety to the King, the other to the Prosecutor, to be recovered by Action of Debt, in any of the King's Courts of Record at *Westminster*; in which no *Essoin*, &c. to be allowed, and to be subject besides to the Pains and Penalty of Forgery.

CCCCLVIII. Persons sued or troubled for putting this A^t in Execution, may plead the General Issue, and give the special Matter in Evidence; and if the Plaintiff be nonsuited, or Judgment given against him, the Defendant shall have treble Costs.

CCCCLXIX. Constables or other Officers refusing or neglecting upon due Notice, to aid or assist in the Execution of this A^t, every such Officer, being thereof convicted before any Justice of Peace, shall forfeit forty Shillings, to be levied by Distress and Sale of Goods, one Moiety to the Poor of the Parish, the other to the Informer.

CCCCLXX. Any Person may seize or detain any Hawker, &c. till such Time as he or she shall produce a Licence, if they have any; if not, till they give Notice to the Constable, or some other Parish-Officer, who shall carry such Offender before a Justice of Peace, who upon Confession or due Proof of Trading, and no Licence produced, shall by Warrant under his Hand and Seal, cause the said Sum of twelve Pounds, to be levied out of the Offender's Goods and Wares, with reasonable Charges for taking the Distress.

CCCCLXXI. This A^t shall not extend to prohibit any Person from selling A^ts of Parliament, Forms of Prayer, Proclamations, Gazettes, Licensed Almanacks, or other Licensed Papers, or Fish, Fruit or Victuals, or hinder the Makers of any Goods or Wares in *England*, *Wales*, or Town of *Berwick*, their Children, Servants or Agents, from carrying abroad and selling the same in any publick Fair or Market, or elsewhere; nor any Tinker, Cooper, Glasier, Plummer, Harness-menders, or other Person trading in mending-Houshold Goods, from going about and carrying with them proper Materials for mending the same.

CCCCLXXII. There shall be kept in the Office of the Auditor of the Receipts in the Exchequer, one Book, in which all Monies paid in by Virtue of this A^t shall be entred apart.

CCCCLXXIII. If any Officer of the Exchequer shall divert or misapply any Monies given by this A^t, he shall forfeit his Office, be incapable of any Place of Trust, and pay the treble Value of any Sum so misapplied, to the Party grieved, his Executors, &c. who will sue for the same by Action of Debt, &c. wherein no *Essoin*, &c. And all Orders and Warrants for Pay-

ment of Money, contrary to the Intent and Meaning of this Act, shall be void.

CCCCXXIV. Nothing herein contained shall extend to hinder any Persons from selling any Sorts of Goods in any publick Market or Fair in *England, Wales, or Town of Berwick*, but that they may do therein as they lawfully might have done before making of this Act.

CCCCXXV. On or before the first Day of *August*, 1697, the several Owners of the Ships mentioned in the aforesaid Act (6 & 7 W. 3. cap. 7.) or such Persons who have Parts and Shares in the same, shall deliver in to the Commissioners for Transportation, an Account of what Share, Part or Interest in each Ship, he or they, under whom they claim; are possessed of; and if the same be not in the first Proprietor, then the Person claiming to give an Account, how and by what Means he came to the same, and so from Time to Time upon the Death or Assignment of any Person entitled in or to any Part or Interest of the Money intended to be raised by this or the foresaid Act, an Account shall be given thereof to the said Commissioners.

CCCCXXVI. A Register of every Person's Claim and Interest shall be made, and kept in a Book to be provided by the said Commissioners; and for registering each Person's Title a Fee of one Shilling, shall be paid to the Clerk, and no more; and no Person shall receive any Monies to be raised by this or the aforesaid Act, till he hath delivered in to the said Commissioners an Account of his Share and Interest; which Register shall at all Times be viewed without Fee.

CCCCXXVII. In case it happens that the Duties granted upon Coffee, Tea, Chocolate and Spice, by the aforesaid Act, shall amount to more than sufficient to pay the Interest at 5 per Cent. for the said principal Sum of 330769 *l. 10 s. 7 d.* then the Surplus shall remain in the Exchequer, and not be disposed of otherwise than by Act of Parliament.

CCCCXXVIII. The Commissioners of the Treasury or Lord Treasurer for the Time being, may, out of the Money so raised, pay to the said Commissioners, their Clerks or other Persons, such Monies as they shall reasonably deserve for their Service in relation to this or the foresaid Act.

CCCCXXIX. This Act shall not extend or be construed to give any Power to any Hawker, &c. to sell or expose any Wares or Merchandizes in any City, Town-Corporate or Market-Town within this Realm, otherwise than might have been done before the making of this Act. Explained and continued till the 24th of *June*, 1701, by Stat. 9 & 10 W. 3. cap. 27. Continued by 12 W. 3. cap. 11. till 24 *June*, 1706.

Anno 8 & 9 W. 3. cap. 24. *An Act for lessening the Duty upon Tin and Pewter exported, and granting an Equivalent for the same by a Duty upon Drugs. Vide Customs.*

Anno 9 & 10 W. 3. cap. 3. *An Act for satisfying and discharging the Arrears of several Annuities, which incurred between the 17th Day of May, 1696, and the 17th of May, 1697. Vide Annuities.*

CCCCCLXXX. Stat. 9 & 10 W. 3. cap. 8. All the Duties which have been, or hereafter shall be paid into the Exchequer, by virtue of the Act made the last Sessions of Parliament, intituled, *An Act for granting to his Majesty certain Duties upon Malt, Mum, Sweets, Cyder and Perry, as well towards carrying on the War against France, as for the necessary Expences of his Majesty's Household, shall be applied to the Payment of the Loan of 200000 l. borrowed thereupon, with Interest for the same, or so much as remains due and unpaid thereof, and to the Discharge of certain Bills and Tickets issued thereupon, with Interest in the first Place, in such Course and Order as the said Act directs, and to no other Use whatsoever, until the said Loan and the said Bills and Tickets, with Interest, shall be fully paid.*

CCCCCLXXXI. The Rules and Directions in an Act made 1 W. & M. intituled, *An Act for a Grant to their Majesties of an Aid of two Shillings in the Pound for one Year, for the speedy Payment of Monies, thereby granted, into the Exchequer, by the Collectors and Receivers thereof, and for the Distribution and Application thereof, and keeping distinct Accompts of the same, and the Penalties, in case of Diversion of any Money thereby appropriated, are hereby revived touching the Distribution of the Duties hereby appropriated.*

CCCCCLXXXII. Stat. 9 & 10 W. 3. cap. 10. enacted, That the Sum of one Million four hundred eighty four thousand and fifteen Pounds one Shilling eleven Pence three Farthings be levied, and paid to his Majesty, within the Space of one Year, from the second of February, 1697, according to the Proportions on the several Cities, Towns and Counties in the Act mentioned.

CCCCCLXXXIII. A Register shall be kept by the Auditor of the Exchequer, of all the Monies arising by this Act, and one other Register of all Orders for Monies payable thereout.

CCCCCLXXXIV. The principal Sums lent between the eighth of October, 1697, and the fourth of April, 1698, not exceeding 850000 l. shall be in the first Place transferred and paid in due Course out of the Monies arising by this Act, with Interest at 8 l. per Cent. payable every three Months; and the Orders for the same may be assignable.

CCCCCLXXXV. And

CCCCXXXV. And in the next Place, so much as on the 11th of April, 1698, shall not be raised of the 255663 *l.* 5 *s.* 8 *d.* for paying of the several Annuities, incurred between the 17th Day of May, 1696, and the 17th Day of May, 1697, on the late Duty of Tonnage of Ships, and the Duties on Salt, shall be transferred and paid out of this Act, without Interest.

CCCCXXXVI. The Orders for the said Annuities shall be registred in the Name of the Paymasters thereof that are or shall be appointed by the Commissioners of the Treasury.

CCCCXXXVII. Any Persons, Natives or Foreigners, may lend to his Majesty on the Credit of this Act, any Sums, which together with the Transferences aforesaid, shall not exceed 1400000 *l.* (of which 250000 *l.* shall be applied towards disbanding the Army) with Interest at eight *per Cent. per Annum*; and the Money so lent on this Act shall not be taxed, and the Orders upon such Loans shall be registred, and paid in Course.

CCCCXXXVIII. And the Monies arising by this Act shall be applied to the paying off the said Loans, and not to be diverted to any other Use.

CCCCXXXIX. No Fee shall be taken for entring such Orders, or for Searches, on Pain of treble Damages, nor any undue Preference, on Pain of paying the Value of the Debt, with Damages and Costs, and Loss of Place.

CCCCXC. All Orders for Loans on this Act may be assigned.

CCCCXCI. The Loans upon this Act may be made either in Money, or in Exchequer Bills; which Bills (except so much as shall be sufficient to compleat 250000 *l.* for the disbanding of the Army) shall be immediately cancelled.

CCCCXCII. If any Loans be made in Money, the Commissioners of the Treasury shall dispose thereof in buying Exchequer Bills, and shall cause the Bills so purchased to be forthwith cancelled.

CCCCXCIII. Stat. 9 & 10 *W. 3. cap. 13.* That for five Years, from the 15th of May, 1698, there shall be levied and paid to his Majesty, his Heirs and Successors, for all Coal and Culm (except Charcoal made of Wood, and Cinders made of Pitcoal) the Duties after mentioned, over and above what are already payable for the same, *viz.*

CCCCXCIV. For all Coals imported into this Kingdom from Scotland, or any Part beyond Sea, (usually sold by Weight) five Shillings *per Ton*, each Ton being twenty Hundred, and each Hundred one hundred and twelve Pounds *Averdupois*; and after that Rate for a greater or lesser Quantity; and for the like imported Coals (usually sold by Measure) the Sum of seven Shillings and six Pence *per Chaldier*, each Chaldier being thirty six Bushels *Winchester Measure*; and after that Rate for a greater or lesser Quantity; to be paid by the Importer.

CCCCXCV. For all Coals shipped, or Water-born in order to be shipped, or laid on Board any Ship or Vessel, to be carried by Sea, and which shall be so carried by Sea from any Port of this Kingdom to any other Port thereof, the Sum of five Shillings *per* Chalder, if usually sold by Measure, and three Shillings and four Pence *per* Ton, if usually sold by Weight ; to be paid at the Importation or Landing, by the Owner, Master, or other Person, having the Charge of the Ship or Vessel, or of the Coals so imported.

CCCCXCVI. For all Culm Water-born in order to be shipped within this Kingdom, or brought into the same, the Sum of one Shilling *per* Chalder, to be paid where imported by the Owner or Master, as aforesaid.

CCCCXCVII. The Duties upon the said Coals and Culm so imported or Water-born, shall be under the Management of the Commissioners of the Customs, and shall be collected and paid into the Exchequer, distinct from all other Monies, the necessary Charges of Management only excepted.

CCCCXCVIII. The said Duties shall be paid to his Majesty, his Heirs or Successors, or to such Collector or Person as his Majesty, his Heirs or Successors, or the Commissioners of the Customs, or any four or more of them, shall appoint under their Hands and Seals, before Bulk of the Ship or Vessel shall be broken, or any the Coals or Culm unladen, measured or weighed : And due Entries shall be made of all such imported Coals and Culm, at the Custom-house where they are so imported (if any be there) or else in the Custom-house of the next Port to the Place of Importation. And if any such Coals or Culm be unshipped before the said Duties be paid or secured, the said Coals and Culm, and the Ship or Vessel, with all her Guns, Tackle, Furniture and Ammunition shall be forfeited, one Moiety to the King, the other to the Seizor, Prosecutor or Informer.

CCCCXCIX. His Majesty, his Heirs or Successors, or any four or more of the Commissioners of the Customs, under their Hands and Seals, may appoint in every Port within this Kingdom Meters, Weighers or Measurers of the said Coals and Culm ; who upon the unlading of any such Ship or Vessel, shall deliver a Certificate to the Collector of the said Duties, of the Sorts and Quantity of Coals and Culm measured or weighed, and delivered from any such Ship or Vessel, under the Penalty of one hundred Pounds.

D. And in case there was on Board a greater Number of Chalders or Tons of Coals and Culm, than for which the Duty had been answered and paid, there shall be paid for every Chalder or Ton so concealed, over and above the Duty, the Sum of ten Shillings, under Penalty of attaching and detaining such Ship or Vessel till Payment thereof, and of selling the said Ship or Vessel, in case all the said Duties for such concealed Coals or Culm

Culm be not paid, with Costs and Charges for such attaching or selling, rendring the Overplus.

DI. Provided, That if the Importer shall within six Days after the Delivery of such Ship or Vessel, and before her Departure out of Port, give in his Post Entry, and pay the whole Duty for the Surplusage, the said Penalty shall be discharged.

DII. The Officers for receiving the said Duties, and for weighing and measuring such Coals and Culm, shall in every such Port and Place, enter down into Books an Account of the Duties, so paid or received, and of the Payments and Disbursements of the same, and the Number of the Chalders and Tons so imported, landed and unladen.

DIII. There shall be allowed to every Master or Owner of any such Ship or Vessel three Months Time for Payment of the said Duty, giving such Security for the same as the Collector or chief Officer of the Port or Place shall approve of, with an Allowance after the Rate of ten *per Cent. per Annum* for prompt Payment. And if any of the Coals and Culm for which the Duty shall be once paid or secured, be again exported to any other Place of this Kingdom, there shall be no further Duty paid for the same: And if any of the Coals for which the Duty shall be so once paid or secured, be afterwards carried beyond Sea, an Allowance out of the Over-sea Duties or Repayment shall be made of so much as was before paid for the same Coals and Culm.

DIV. Provided, That if any Person be prosecuted for any Tning done in Execution of this Act, he may plead the General Issue, and give this Act in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be nonsuit, or forbear Prosecution, the Defendant shall have treble Costs. *Continued per 1 Ann. Stat. 2. cap. 4. together with so much of 10 W. 3. cap. 21. as concerns Cinders, until 15 May, 1708, and a borrowing Clause made for 500000 l. the first 200000 l. thereof at 5 l. per Cent. the rest at 6 l. per Cent. with the usual Directions to Officers.*

DV. Stat. 9 & 10 W. 3. cap. 14. That the additional and other Duties and Impositions upon the several Sorts of Goods and Merchandizes imported into this Kingdom, and from thence exported, expressed and granted in and by an Act, *Anno 6 & 7 W. 3. cap. 7.* Intituled, *An Act for granting to his Majesty several additional Duties upon Coffee, Tea, Chocolate and Spices, towards Satisfaction of the Debts due for Transport Service for the Reduction of Ireland*, shall be continued from the first of May, 1698, and be levied and paid to his Majesty, his Heirs and Successors, till the first of May, 1701. And that the said Act, and all Powers, Articles and Clauses therein contained, shall continue in Force till the said first of May, 1701, and shall be practised and executed for levying and paying the said additional and other Duties and Impositions

positions hereby continued, for paying Interest for the Debt due for the said Transport-Service.

Anno 9 & 10 W. 3. cap. 23. *An Act for granting to his Majesty a further Subsidy of Tonnage and Poundage, towards raising the yearly Sum of 700000 l. for the Service of his Majesty's Household, and other Uses therein mentioned, during his Majesty's Life. Vide Customs.*

Anno 9 & 10 W. 3. cap. 14. *An Act for enlarging the Time for purchasing certain Estates or Interests in several Annuities therein mentioned. Vide Annuities.*

DVI. Stat. 9 & 10 W. 3. cap. 25. After the first of August, 1698, there shall be paid to his Majesty, his Heirs and Successors, for ever, over and above all other Duties, the Sum following, viz. For every Skin or Piece of Vellom or Parchment, or Sheet or Piece of Paper, on which there shall be ingrossed or written,

DVII. Any Grant under the Great Seal, or Dutchy of Lancaster, of any Honour, Dignity, Promotion, Franchise, Liberty, or Privilege, or Exemplification of the same (except Commissions of Rebellion in Process) forty Shillings.

DVIII. Any Pardon (except the General Circuits and Newgate Pardon) Warrant of Reprieve, Relaxation from Fines, Corporal Punishments or Forfeitures, forty Shillings.

DX. Any Grant of Money above one hundred Pounds, under the Great and Privy Seal only, any Grant of Office or Employments above fifty Pounds *per Annum*, any Grant of Lands in Fee, or Leases for Years, or other Grant or Profit under the Great Seal, Exchequer, Dutchy of Lancaster, or Privy Seal only, forty Shillings each.

DX. Any Presentation or Donation, Collation, Dignity or Spiritual or Ecclesiastical Promotion of ten Pounds *per Annum*, or above, in the King's Books, forty Shillings.

DXI. Any Dispensation for two Ecclesiastical Dignities or Benefices, or other Dispensation or Faculty, forty Shillings.

DXII. Any Admittance of a Fellow of the College of Physicians, or of any Attorney, Clerk, Advocate, Proctor, Notary, or other Officer in any Court, forty Shillings.

DXIII. But not to extend to any annual Officer in a Corporation or inferior Court, whose Office is under ten Pounds *per Annum* in the whole.

DXIV. Any Appeal from the Court of Admiralty, Arches or Prerogative of Canterbury or York, forty Shillings.

DXV. Any Exemplification under the Seal of any Court, five Shillings.

DXVI. Any

DXVI. Any Decree or Dismission in Chancery, Exchequer, Dutchy of Lancaster, Palatine of Chester, Durham, or other Court of Equity, six Pence.

DXVII. Any Institution or Licence under the Seal of an Archbishop, Bishop, Chancellor, Ordinary, or Ecclesiastical Court, five Shillings.

DXVIII. Any Writ of Error, *Certiorari* or Appeal (except to the Delegates) five Shillings.

DXIX. Any *Significavit pro Corp' deliberat'*, five Shillings.

DX. Any Sentence, Attachment or Relaxation in the Admiralty or Cinque-Ports, five Shillings.

DXI. Any Letter of Mart, five Shillings.

DXII. Any Probate of a Will or Administration above twenty Pounds Value, five Shillings.

DXIII. Any Recognizance, Statute-Staple, or Statute-Merchant, five Shillings.

DXIV. Any Record of *Nisi prius* or *Postea*, two Shillings six Pence.

DXV. Any Judgment signed by any Officer of the Courts at Westminster, two Shillings six Pence.

DXVI. Any Commission out of Ecclesiastical Courts, two Shillings six Pence.

DXVII. Any Warrant, Monition, or personal Decree in the Courts of Admiralty or Cinque-Ports, or beneficial Warrant or Order, under the Sign-Manual, (except for the Navy, Army and Ordnance) two Shillings six Pence.

DXVIII. Any Special Bail or Appearance, one Shilling.

DXIX. Any Bill, Answer, Replication, Rejoinder, Interrogatories, Depositions, or other Pleadings in Chancery, Exchequer, Dutchy and Palatine Courts, and other Courts of Equity, one Shilling.

DX. Any Admission into a Corporation or Company, the Universities, Inns of Court and Chancery, one Shilling.

DXI. Any Affidavit (except for burying in Woollen, or before the Officers of the Customs, Justices of Peace, or Commissioners for Taxes, *ex Officio*) six Pence.

DXII. Any Copy of such Affidavit, six Pence.

DXIII. Any Indenture, Lease, or Deed-Poll, (except for binding poor Parish-Children Apprentices, six Pence.

DXIV. Any original Writ (except where *Capias* issues) *Subpoena*, Bill of Middlesex, *Latitat*, Writ of *Capias*, *Quo minus*, *Ded' potestatem*, and other Writs, Processes or Mandates, where the Debt, Damage or Demand is of forty Shillings, or above, (except for levying Fines, suffering Common Recoveries and *Habeas Corpus* Writs) six Pence.

DXV. Any Entry of Actions in London, and other Corporations and Courts, of forty Shillings, or above, six Pence.

DXVI. Any

DXXXVI. Any Common Bail and Appearance, six Pence; which is to be entred or filed in eight Days after the Process is returnable, on Penalty of five Pounds to the Plaintiff.

DXXXVII. Any Rule or Order of Court at *Westminster*, six Pence.

DXXXVIII. Any Copy of such Rules or Orders, or other Records of Proceedings, six Pence.

DXXXIX. Any Citation, Monition, Libel, Allegation, Deposition, Answer, Sentence, final Decree or Inventory in Ecclesiastical Courts, Admiralty or Cinque-Ports, or Copies thereof, six Pence.

DXL. Any Charter-Party, Policy of Assurance, Passport, Bond, Release, Contract, Obligatory-Instrument, Protest, Procuration, Letter of Attorney, or other Notarial Act, six Pence.

DXLI. Any Declaration, Plea, Replication, Rejoinder, Demurrer, or other Pleadings in Courts of Law, one Penny; and Copies thereof, one Penny.

DXLII. Any Depositions, (except the Draughts thereof before they are ingrossed) Copies of Bills, Answers, Pleas, Demurrers, Replications, Rejoinders, Interrogatories, Depositions, or other Proceedings in Courts of Equity, and Copies of Wills, one Penny.

DXLIII. After the first of *August*, 1698, every Officer or Clerk in the Courts at *Westminster*, shall set down the Day and Year of his signing any Writ of Arrest upon such Writ, and duly enter the same, on Penalty of ten Pounds.

DXLIV. This Act shall not extend to Bills of Exchange, Accompts, Bills of Parcel, Bills of Fees, or Bills or Notes not sealed, for Payment of Money at Sight, or Demand, or at the End of certain Days of Payment.

DXLV. Nor to the Probate of Wills or Letters of Administration of common Seamen or Soldiers, dying in the King's Service, a Certificate thereof being produced, and Oath thereupon made before the proper Judge.

DXLVI. Nor to any Warrant or Recognizance before a Justice of Peace, or the Surrender of any Copyhold Estate, or Copies of such Estate, or Court-Martial Proceedings for Trial of a Common Soldier, or Proceedings before Commissioners of Sewers, or in the Court of Stannaries.

DXLVII. Sea-Officers shall pay the same Stamp-Duty as Land-Officers pay by this Act only.

DXLVIII. The Duties by this Act granted shall be liable to such Redemption by Parliament as shall be declared this Session.

DXLIX. The King or Commissioners of the Treasury shall appoint Commissioners for managing these Duties, who shall keep their Head Office in *London* or *Westminster*, for stamping of Vellom, &c. and collecting the Duties; and providing proper Marks or Stamps accordingly.

DL. For

DL. For applying the Duties on this and the former Act, as they are severally appropriated, all Vellom, Parchment and Paper, where the Duties are doubled, till the first of *August*, 1706, shall after the first of *August*, 1698, be stampd with two Marks, to denote both the Duties, except such Things as by the former Acts still remain liable to the single Duty only, namely, every Skin. &c. on which there shall be ingrossed or written,

DLI. Any General Circuit or *Newgate*-Pardon, forty Shillings only.

DLII. Any Register, Entry, Testimonial or Certificate of Degrees in the Universities or Inns of Court, (Batchelor of Arts excepted) forty Shillings only.

DLIII. Any Conveyance, Surrender of Grants or Offices, Release or other Deed inrolled, five Shillings only.

DLIV. Any Licence or Certificate for Marriage, five Shillings only.

DLV. Any Writ for levying Fines or suffering Recoveries, or *Habeas Corpus*, five Shillings only.

DLVI. All which till the first of *August*, 1706, shall be stampd with one Mark only according to the former Acts.

DLVII. All Things herein before charged, shall after the last of *July*, 1706, before the ingrossing or writing thereof, be brought to the Head-Office to be stampd with one Mark.

DLVIII. The Commissioners for the said Duties are impowered and required to stamp any Quantities of Vellom, &c. for any Persons paying the Duties: And if any Person ingross or write any Thing, as aforesaid, before it be so stampd, or stampd with a lower Duty than is payable by this and the former Acts, he shall forfeit ten Pounds; and any Clerk, Officer, or Person in publick Office, who shall make, ingross or write any Records, Deeds, Instruments or Writings, charged as aforesaid, without being stampd, or with a counterfeit Stamp, or stampd with a lower Duty, shall besides the ten Pounds forfeit his Office; and if an Attorney, he shall be disabled to practise; and any other Person offending therein, shall forfeit for every such Deed or Writing ten Pounds, over and above the Duty: And no such Record, &c. shall be pleaded or given in Evidence, till the Duty and Penalty be paid, and then to be stampd with the proper Marks.

DLIX. Any Person who shall counterfeit any of the said Stamps or Marks, or the Impression of the same, or shall vend any Vellom, &c. with such counterfeit Marks, shall be guilty of Felony, without Benefit of Clergy, and suffer Death accordingly.

DLX. The Commissioners may appoint a Person in any Court to take Notice of the Things stampd; and the Judges of Courts shall make such Orders for securing the Duties, as the Commissioners shall reasonably desire.

DLXI. Every

DLXI. Every of the Commissioners and Persons employed under them, for stamping of Vellom, &c. shall take the Oath prescribed for the faithful Execution of their Trust, &c.

DLXII. The Commissioners and their Officers shall observe the Directions of the Commissioners of the Treasury, and shall take care that the several Parts of the Kingdom be sufficiently furnished with stamp Vellom, &c. That all Persons at their Election, may buy the same at the usual Rates above the Duty.

DLXIII. Persons admitted to sue or defend in *Forma Pauperis*, shall not be liable to the said Duties.

DLXIV. All Things whatsoever hereby charged shall be ingrossed and written as usually.

DLXV. Upon altering or renewing the said Stamps, all Things stamp and not written, may within sixty Days after Proclamation, of such renewing or altering, be sent to the Head-Office to be changed, without any further Charge, on the Penalty of one hundred Pounds; but not being so sent, to be void, and subject to the like Penalties, if ingrossed or written upon, as if not stamp.

DLXVI. Provided that the King or Commissioners of the Treasury, may on stamp Parchment or Paper, order Payment of the Salaries and incident Charges in managing this Duty, out of the said Duties.

DLXVII. Provided that within twenty Days after Alteration of the said Stamps, the Proclamation aforesaid shall be sent to the chief Magistrates of Cities, Boroughs and Market-Towns, throughout England, to be published the next Market-day, or Sunday, on Penalty of two hundred Pounds.

DLXVIII. The Commissioners of the Treasury shall once every Year set the Prices, that all stamp Vellom, Parchment or Paper shall be sold at, which shall be stamp upon the same accordingly; and an Allowance shall be made for every ten Pounds, after six *per Cent. per Annum*, for three Months, for prompt Payment, over and above the like Allowance on the former Acts.

DLXIX. This Act shall not extend to charge any Letters Patent for collecting charitable Briefs, nor shall such Briefs be doubly stamp. See the single Duties granted *per 5 & 6 W. & M. cap. 21. ante Sect. 103.*

See the Act for preventing Frauds in the Stamp-Duties, *1 Ann. Stat. 2. cap. 22. post Sect. 835.*

DLXX Stat. 9 & 10 W 3. cap. 27. The Act made 8 & 9 W. 3. intituled, *An Act for licensing Hawkers and Pedlars for a further Provision of Interest for the Transport-Debt for reducing of Ireland*, being to continue only till the 24th of June, 1698. It is enacted, That from the said 24th of June, 1698, to the 24th of June, 1701, there shall be paid to his Majesty by every Hawker, Pedlar, Perry Chapman, or other trading Person going from Town to

Town, or other Mens Houses, and travelling either on Foot or with a Horse, Horses, or otherwise, within this Kingdom (except as herein excepted) carrying to sell, or exposing to Sale any Goods, Wares or Merchandizes, a Duty of 4 *l.* for each Year: And that every Person so travelling with a Horse, Ass or Mule, or other Beast bearing or drawing Burden, shall over and above pay 4 *l.* for each Year.

DLXXI. Every Pedlar, &c. so travelling, as aforesaid, upon receiving a Licence, shall pay to the Commissioners for licensing Hawkers, &c. one Moiety of the said Duty, and give Bond for the true Payment of the other Moiety, at the End of six Calendar Months, with an Allowance of 2 *s.* in the Pound for prompt Payment of the last Moiety.

DLXXII. Such Hawker, &c. as after the said 24th of June, 1698, shall be found trading, as aforesaid, without or contrary to such Licence, shall for every such Offence forfeit 12 *l.* one Moiety to the Informer, and the other to the Poor of the Parish, wherein such Offender shall be discovered: And if any Persons so trading, upon Demand made by any Justice of Peace, Mayor, Constable, or other Officer of the Peace, refuse to shew their Licence, they shall forfeit 5 *l.* to the Use of the Poor of the Parish where such Demand shall be made; and for Nonpayment shall suffer as a common Vagrant, and be sent to the House of Correction.

DLXXIII. The said Commissioners upon the Terms aforesaid are to grant a License to be by them subscribed, to every Hawker, &c. for him or herself, for which there shall be taken only one Shilling, unless the Hawker, &c. travel with a Beast of Burden, and then there shall be paid for such Licence only two Shillings over and above the Duties aforesaid: The said Commissioners shall keep a distinct Accompt of the Duties granted by this Act, and pay the Money arising thereby into the Exchequer on *Wednesday* in every Week (unless a Holiday, and then the Day after) and upon Neglect or Refusal, shall incur the Penalties, &c. as others the Officers of the Exchequer herein mentioned, shall be liable unto; which Money so paid shall be applied to pay Interest for the said Transport-Debt, after 5 *l. per Cent. per Annum.*

DLXXIV. Persons forging or counterfeiting such Licences, or travelling with forged or counterfeited Licences, shall forfeit fifty Pounds, one Moiety to the King, the other to the Prosecutor, to be recovered in any the Courts of Record at *Westminster*, and be subject to the Penalties for Forgery.

DLXXV. Persons sued for putting this Act in Execution, may plead the General Issue, and give the Special Matter in Evidence; and if the Plaintiff be nonsuited, or suffer Judgment on Demurrer, or a Verdict pass for the Defendants, the Defendants shall have treble Costs.

DLXXVI. If any Constable, or other Officer refuse or neglect to be assisting in the Execution of this Act, being thereunto required, such Officer being thereof convicted upon Oath before a Justice of Peace, shall forfeit for every such Offence forty Shillings, to be levied by Distress and Sale of Goods, one Moiety to the Poor of the Parish, the other to the Prosecutor, rendering the Overplus.

DLXXVII. Any Persons may seize and detain such Hawkers, &c. till they produce a Licence; or if trading without a Licence, till such Time as Notice be given to the Constable, or some other Parish-Officer, who are to carry such Persons before a Justice of Peace, who upon Confession of the Party, or due Proof upon Oath, that the Person had so traded, and no Licence produced, shall by Warrant under his Hand and Seal, levy the said Sum of 12 l. by Distress and Sale of the Offenders Goods or Wares, rendering the Overplus, after Deduction of the Charge for distraining; and out of the said Sale to pay the said Penalties and Forfeitures.

DLXXVIII. This Act shall not prohibit Persons from selling Acts of Parliament, Forms of Prayer, Proclamations, Gazettes, licensed Almanacks, or other printed Papers licensed by Authority, or any Fish, Fruits or Victuals; nor hinder the Makers of any Goods or Wares within this Kingdom, or their Children, Apprentices, Agents or Servants from selling the Goods and Wares of their own making, in any Mart, Fairs, Markets, or elsewhere; nor any Tinkers, Coopers, Glasiers, Plummers, Harness-menders, or other Persons trading in mending Kettles, Tubs, Household-Goods or Harness, from going about, and carrying with them proper Materials for mending the same.

DLXXIX. There shall be kept in the Office of the Auditor of the Exchequer a Register of all Monies paid in by Vertue of this Act, distinct from all other Monies.

DLXXX. If any Officer in the Exchequer shall divert any of the Monies paid in by Vertue of this Act, he shall forfeit his Office, be incapable of any Place of Trust, and shall pay treble the Value of the Sums so diverted, to the Persons grieved, who will sue for the same in any the Courts of Record at *Westminster*. And all Orders for disposing the Monies to be raised by this Act, contrary to the Meaning thereof, shall be void.

DLXXXI. This Act shall not hinder any Persons from selling any Sorts of Goods or Merchandize, in any publick Mart, Market or Fair within this Kingdom.

DLXXXII. If the several Duties and Impositions granted to his Majesty by several Acts of Parliament, towards Payment of Interest of the said Transport-Debt, together with the Duties to be raised by this Act, shall amount to more than sufficient for Payment of Interest at 5 per Cent. for the said Transport-Debt, according to the several Debentures made, and to be made out;

then such Surplus shall remain in the Exchequer, and not be disposed of but by Act of Parliament.

DLXXXIII. The Commissioners of his Majesty's Treasury, or the Lord High Treasurer, out of the Monies raised by this or the said recited Acts, may pay to the said Commissioners, to be appointed pursuant to this Act, their Clerks and others, such Sums as they may reasonably deserve for their Service, or may have expended in or about this or the said recited Acts.

DLXXXIV. This Act shall not give Power for the licensing any Hawker, Pedlar or Petty-chapman to sell or expose to Sale any Wares or Merchandizes, in any City, Borough, Town-Corporate or Market-Town within this Realm, otherwise than might have been done before the making of this Act. See *5 A. R. cap. 19. Annuities, 112.*

Anno 9 & 10 W. 3. Stat. 30. *An Act for increasing his Majesty's Duties upon Lustringe and Alamodes. Vide Customs.*

DLXXXV. Stat. 9 & 10 W. 3. cap. 34. After 15 May, 1698, the Money coming into the Exchequer for the Duties of Excise, granted by an Act of 5 & 6 W. & M. Intituled, *An Act for granting to their Majesties certain Rates and Duties upon Sale, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of ten hundred thousand Pounds towards carrying on the War against France*, shall in the first Place be applied to pay such of the Annuities, lately payable out of the Tonnage-Duties, and the Tickets for the same, which became due at Lady Day, 1696, or within twenty Days after, and are yet unsatisfied. And in the second Place to pay such of the said Annuities as became due at Michaelmas, 1697, or within twenty Days after, and are yet unsatisfied: And in the third Place, to pay such of the said Annuities as became due on the 25th of March, 1698, or within twenty Days after, and not otherwise; and the said Arrears being first discharged, or Money reserved for Payment thereof, the growing Produce shall be applied to pay the said half-yearly and yearly Annuities in Course; and no Officer shall pay any half yearly or yearly Payments of the said Annuities, till the preceding half Year or Year be fully paid, or the Money reserved, for which publick Notice in Writing shall be hung up in the said Office, under Penalty of forfeiting his Office, and for every such Offence one hundred Pounds to the Persons who shall sue for the same in any of the Courts of Record at Westminster, where the Plaintiff upon Recovery shall have treble Costs.

DLXXXVI. The

DLXXXVI. The Tickets, commonly called Benefit-Tickets, which became due at *Lady-Day*, 1698, or within twenty Days after, shall be paid as they are numbred, beginning at Number one, and ending with Number two thousand five hundred. And the Tickets for twenty Shillings apiece, commonly called Blank-Tickets, being due at *Michaelmas*, 1698, or within twenty Days after, shall also be paid as they are numbred, beginning with Number one, and ending with Number ninety-seven thousand five hundred. And in the Year next following the Benefit-Tickets shall be paid in an Arithmetical Progression descending, beginning with Number two thousand five hundred, and ending with Number one, and the Blank Tickets from Number ninety-seven thousand five hundred inclusive, to Number one inclusive, and so onwards in every subsequent Year alternately.

DLXXXVII. It shall be no undue Preference to pay subsequent Tickets, when brought and demanded before such Tickets as were not brought in Course, provided there be Money reserved to satisfy such preceding Tickets.

DLXXXVIII. The additional Duties of Excise granted by the said Act, and which ought to come weekly into the Exchequer, (the Officers Salaries and incident Charges not exceeding two thousand five hundred Pounds *per Annum* only excepted) are hereby appropriated during the whole Term of sixteen Years, thereby granted to the Payment of the said Annuities and Tickets for the same.

DLXXXIX. After the 15th of May, 1698, No Officer appointed to pay the Annuities for one, two or three Lives, purchased for the respective Considerations mentioned in the Act of 5 & 6 W. & M. Intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of 1500000 l. towards carrying on the War against France*, payable quarterly out of two seventh Parts of the several Duties thereby granted, and the Reversions of the said Annuities, or some of them, or further Interest therein purchased by several subsequent Acts, shall pay off any quarterly Payment of the said Annuities, till the precedent Quarter be paid off, or the Money ready in the Office for Payment thereof, whereof publick Notice in Writing shall be affixed in the said Office, under Penalty of forfeiting his Place, and one hundred Pounds for every such Offence, to the Persons who shall sue for the same, to be recovered with Costs of Suit, as aforesaid.

DXC. Stat. 9 & 10 W. 3. cap. 35. Enacted, That all the Clauses in the Acts of the sixth, seventh and eighth Years of his Majesty's Reign, in Relation to the Duties on Marriages, Births, Burials, Batchelors and Widowers, (not otherwise hereby altered

ed or explained) shall be duly observed under the Penalties in the said Acts.

DXCI. The Commissioners for the Aid to his Majesty of 1484015 *l.* 1 *s.* 11 *d.* 3 *f.* shall be Commissioners for the said Acts for Marriages, Births and Burials, till the 24th of *June*, 1699, who with the Justices of Peace, or a *Quorum* of them, appointed by the former Acts, shall have full Power to act in all Things relating to the said Duties; and after the 24th of *June*, 1699, the Justices as aforesaid, shall be the Commissioners.

DXCII. All Persons required by the former Acts to keep a Register, shall with the Name of every Person married, buried, christened or born, express the Degree and Quality, according to which the Duty ought to be paid; and upon Burials, the Names of the Heirs, Executors, Administrators, Fathers, Mothers, Guardians, Churchwardens, Overseers, or others who are to pay for the same, and where they dwell: And in case of Births, the Names of the Fathers, Mothers, Guardians or Curators of such Children, and where they live: And in case of Marriages, the Husband's Abode, under Penalty of twenty Pounds, one Moiety to the King, the other to the Informer. And every Person who ought to pay the said Duties, shall give the Minister who performs the Office of such Marriage, Burial or Christning, a true Relation of the Degree and Quality, according to which the Duty ought to be paid, and where the Person lives, who ought to pay the same, to be inserted in the Register, under Penalty of twenty Pounds.

DXCIII. By the Words Ecclesiastical Persons in this Act, and Persons in Holy Orders in the former Acts are to be comprehended Bishops, where Marriages, Christnings or Burials are performed by them.

DXCIV. Upon any Person's Removal, or going away without Payment of the Duties, any two of the Commissioners certifying such Default under their Hands and Seals, the like Number of Commissioners in any other Place where the Person shall be found, shall cause the said Duties to be paid, and upon Default may levy the same by Distress and Sale of Goods.

DXCV. All Penalties in this and the former Acts touching the said Duties (except the Penalty of one hundred Pounds for not duly keeping a Register) shall be determined by two or more Justices, or Commissioners near the Place, upon Oath, and levied by Distress and Sale of Goods; and for Want of Distress, the Offender to be committed to Prison; but the Commissioners may mitigate such Penalty, so that it be not less than double the Duty.

DXCVI. The Commissioners in their respective Divisions shall meet together on or before the first of *August*, 1698, and so once or oftner every three Months, for the Execution of this and the former Acts; and they or any two of them, are to warn

warn the Assessors, Collectors, Surveyors, Inspectors and Receivers-General, and, if need be, any Parsons, Vicars, Curates, Parish-Clerks, and others, concerned in the said Duties, to bring in their Assessments, Accounts and Registers; and upon Default, may fine the Offenders, not exceeding five Pounds.

DXCVII. And shall examine the said Assessments, Accounts and Registers, and cause the Persons omitted, or not fully charged, to be duly taxed, and thereupon to sign the Assessments, and cause Duplicates of the gross Sums to be transmitted into the Exchequer.

DXCVIII. The Collectors shall render their Accounts upon Oath, and in Default thereof may be fined by the Commissioners, not exceeding 20 l.

DXCIX. Every Collector duly discharging himself, shall (besides the three Pence in the Pound in the former Acts) be allowed two Pence in the Pound for what he shall pay to the Receiver-General; and the Commissioners shall have an additional Allowance of one Penny in the Pound.

DC. After the first of *August*, 1698, every Person who ought to pay any of the said Duties, shall pay or tender the same to the proper Collector, within twenty Days after it shall become due, on Pain of paying double the said Duties.

DCI. The Clause in the former Act, *Anno 6 W. 3.* for the Collectors delivering a Copy of the Assessment to the Minister of the Place, under Penalty of 5 l. and for the Minister's reading the same in the Church, under the like Penalty, is hereby repealed.

DCII. The ten Days allowed by the said former Act for appealing, shall be reckoned from the Time of the Collector's Demand.

DCIII. Stat. 9 & 10 W. 3. cap. 38. An Act for granting to his Majesty an Aid by a Quarterly Poll for one Year, the first Payment to be made on the 24th of *August*, 1698.

DCIV. Out of the Monies paid into the Exchequer, upon the Act of this present Session, *For granting to his Majesty several Duties upon Coal and Culm*, 250000 l. shall be appropriated for Payment of Seamen that have or shall serve in the Navy Royal; and out of the first Monies arising by this Act, 250000 l. shall be appropriated for Payment of Quarters due from the Land-Forces in England since the first of *January*, 1696.

DCV. The Rules and Directions in the Act, *1 W. & M. For a Grant to their Majesties of an Aid of two Shillings in the Pound for one Year*, for the speedy Payment of the Money thereby granted, and Application thereof, and all other Provisions therein, are hereby revived, touching the Distribution and Application of the Sums hereby appropriated.

DCVI. Any Persons, Natives or Foreigners, Bodies Politick or Corporate, may advance and lend upon the Security of this Act, any Sums of Money not exceeding 500000 *l.* at 7 *per Cent.* *per Annum*, Interest for the first 250000 *l.* and 8 *per Cent.* *per Annum* for the remaining 250000 *l.*

DCVII. And may also lend upon the Security of the Monies arising upon Coals and Culm after the 24th of June, 1698, any Sum not exceeding 500000 *l.* at 7 *per Cent.* *per Annum*, Interest for the first 100000 *l.* and 8 *per Cent.* *per Annum*, for the remaining 400000 *l.* And no Money so lent or advanced shall be assessed.

DCVIII. There shall be kept in the Exchequer in the Auditor's Office, two Books for registering all Monies that shall be paid in upon the quarterly Poll hereby granted, and on Coals and Culm, distinct from all other Money: And all Persons lending Money thereon shall have a Talley and Order for Repayment with Interest, payable every three Months; which Orders shall be registered and paid in Course, without Preference of one before another, and without taking any Fee or Reward for such Registers, Entries, Views or Search, under Penalty of double Damages to the Party aggrieved, with Costs of Suit, and, if it be by the Officer himself, Loss of Place also; and under Penalty of paying the Value of the Debt, Damages and Costs, and Loss of Place, in case of undue Preference.

DCIX. Provided, That it shall be no undue Preference, where several Orders are brought to the Auditor the same Day, which of those he enters first; nor shall it be any undue Preference, if the Auditor direct, the Clerk of the Pells record, and the Tellers pay subsequent Orders, where Persons demand not their Money in Course, provided so much Money be reserved as will satisfy precedent Orders, Interest ceasing from the Time of such Reservation.

DCX. All which Orders being entered, may by Indorment and Entry thereof in the said Register-Book, be assigned and transferred *toties quoties*.

DCXI. His Majesty may make use of any Sums (not exceeding 600000 *l.* in the whole) arising by any the Aids or Supplies granted or to be granted this Session of Parliament, and not particularly appropriated, towards discharging the Tallies of Pro or Assignment, or other Tallies remaining unsatisfied on the Hereditary and Temporary Excise, or on the weekly Sum of 6000 *l.* issuing out of the same, and for other his Majesty's necessary Occasions, or for satisfying such Monies as have been or shall be borrowed to supply the same.

DCXII. All Auditors, Reeves or Receivers, and their Deputies, shall upon the Act of this present Session for granting to his Majesty 1484015 *l.* 1 *s.* 11 *d.* 3 *f.* For *disbanding Forces, paying Seamen, and other Uses therein mentioned*, allow 3 *s.* for every Pound

Pound Rent due for any Fee-Farm Rent, or other Chief Rents due to his Majesty or the Queen Dowager, or to any Person or Persons claiming by any Grant or Purchase from or under the Crown, and proportionably for any greater or lesser Sum, to the Parties so paying the same, without Fee, upon Penalty of twenty Pounds. And if any such Auditor or his Deputy set *in super* any Tenant, or other Person, or make their Estate liable to Distress or Vexation, for any Money which ought to be allowed after the said Rate of three Shillings in the Pound, or refuse or neglect to allow the same, he shall forfeit one hundred Pounds to the Party grieved, and be incapable of his Office or Place, or any other Office or Place of Trust or Profit under his Majesty or the Queen Dowager.

Anno 9 & 10 W. 3. cap. 44. *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payments of Annuities, after the Rate of 8 l. per Cent. per Annum, and for settling the Trade to the East-Indies. Vide Trade.*

DCXIII. Stat. 9 & 10 W. 3. cap. 45. Enacted, That after the first of August, 1698, one Half of the several Rates and Duties charged by several Acts made in 6 & 7 W. 3. on Glass and Glass-Wares, and the whole Duties charged by the said Acts on Stone and Earthen Bottles, Stone and Earthen Wares, and on Tobacco-pipes, shall cease, and be no longer payable.

DCXIV. And that in Lieu thereof from the 10th of July, 1698, there shall be paid to his Majesty for eight Years, for all Whale-fins, and Scotch Linens imported into England, Wales or Berwick, (over and above all Duties already payable) the further Rates following, *viz.*

DCXV. For all Whale-fins caught and imported in any Ships belonging to the Greenland Company, three Pence per Pound-weight. And for all Whale-fins caught or imported by Foreigners, or by Ships not belonging to the said Company, six Pence per Pound-weight, to be paid by the Importers.

DCXVI. For all Linen of the Manufacture of Scotland, called Twill, imported or brought in, as aforesaid, ten Shillings for every Hundred, containing 120 Ells, to be paid by the Importers.

DCXVII. The Importer giving Security at the Custom-house, shall have twelve Months to pay the Duty by four equal quarterly Payments; and in case he pays ready Money, shall be abated after 10 per Cent. per Annum. If the Goods aforesaid, after the Duties paid or secured, be again exported by any English Merchant within twelve Months, or by Strangers in nine Months, the said Duty to be wholly repaid, or the Security vacated for what shall be so exported.

DCXVIII. Pro-

DCXVIII. Provided, That this Act shall not make void any Payments of Money due to his Majesty for any Glass-Wares, Stone or Earthen Wares, or Tobacco-pipes, actually made before the said first of *August*. And that all Matters and Things contained in the said two former Acts, for securing to his Majesty the Duties on Glass-Wares, shall be applied for securing the Moiety of the said Duty on Glass-Wares, (not hereby taken away.)

DCXIX. And for all Glass Wares which shall be exported before the first of *December*, 1698, for which the whole Duties have been paid or secured, the same shall be repaid, or the Security vacated; and for all Glass-Wares exported after the said first of *December*, 1698, only one Moiety of the said former Duties shall be drawn back.

DCXX. No Makers of Glass or Glass-Wares after the said first of *August*, 1698, shall draw or remove from their Kilns or Surrores, any Glass or Glass-Wares, unless the Officer appointed to attend such Glass-house be present, or have Notice of it, on Forfeiture of ten Pounds, one Moiety to the King, the other to the Prosecutor.

DCXXI. All Bottles and Glass-Vessels imported, although filled with Liquor, shall pay one Moiety of the Duties charged thereon by the former Acts.

DCXXII. Upon the Importation of Whale-fins, *Scotch* Linen or Tickings, as aforesaid, Entry thereof shall be made in the Custom-house where imported; and in case of landing any such Goods before due Entry made, and the Duties secured, or without a Warrant from the Commissioners, or proper Officers of the Customs for landing the same, such Goods shall be forfeited, or the Value thereof, and be recovered of the Importer or Proprietor, one Moiety to the King, the other to the Seizor or Prosecutor.

DCXXIII. The said Duties payable for Whale-fins and *Scotch* Linen, as aforesaid, shall be managed by the Commissioners of the Customs; and the Receivers-General of the Customs shall bring the Produce thereof (necessary Charges only excepted) into the Receipt of the Exchequer; and the Officers of the Exchequer shall apply the said Duties, as also the Half-Duties on Glass-Wares for the Payment of such Principal and Interest Monies, whereunto the whole Duties on Glass and Earthen Wares and Tobacco-pipes ought to have been applied in the same Order, and under the like Penalties and Forfeitures as in the said former Acts are prescribed. *Continued per 1 Anne, cap. 13. till 1 August, 1710, Deficiencies, 13. Continued per 5 Ann. cap. 13. till 1 August, 1712.*

Act 10 W. 3. cap. 1. *An Act for granting an Aid to his Majesty, for disbanding the Army and other necessary Occasions. Vide Army.*

DCXXIV. Stat. 10 & 11 W. 3. cap. 9. *For disbanding the Army, providing for the Navy; &c.* it is enacted, That the Sum of one Million four hundred eighty-four thousand fifteen Pounds one Shilling eleven Pence three Farthings, be levied and paid to his Majesty within one Year, from the 15th of February, 1698, according to the Proportions on the several Counties; Cities, Towns and Places in the Act mentioned.

DCXXV. A Register shall be kept by the Auditor of the Exchequer of all the Monies arising by this Act; and one other Register of all Orders of Money payable thereout.

DCXXVI. The principal Sums lent on the disbanding Act, between the 25th of December, 1698, and the 20th of April, 1699, shall be first transferred, registered, and paid in Course, with Interest at 7 per Cent. payable every three Months; and the Orders for the same shall be assignable,

DCXXVII. Any Persons, Natives or Foreigners, may lend on the Credit of this Act, any Sums not exceeding (with the Transferences aforesaid) one Million four hundred thousand Pounds, at 7 per Cent. Interest; and the Money so lent shall not be taxed; and the Orders upon such Loans, shall in the next Place be registered and paid in Course; and the Monies arising by this Act shall be applied to the paying off the said Loans, and not be diverted to any other Use.

DCXXVIII. No Fee shall be taken for entering any such Orders, or for Searches, on Pain of treble Damages: And in case of undue Preference, to pay the Value of the Debt, with Damage and Costs, and Loss of Place, and other Penalties upon Deputies, and upon the Officers of Exchequer not pursuing the Act.

DCXXIX. But that it shall be no undue Preference where Orders bear Date the same Day, which are entered first; nor to pay subsequent Orders, before such as are not demanded in Course.

DCXXX. Orders of Loan upon this Act, may be assigned *inter quoties*, which Assignment shall not afterwards be made void.

DCXXXI. All Persons who since the 10th of June, 1697, or before the 29th of September, 1699, having bought Orders or Tallies, and not taken due Assignments thereof, and registered the same, and made Oath thereupon touching the Premium or Allowance, shall have Liberty for the doing thereof, till the 29th of September, 1699.

DCXXXII. No

DCXXXI. No Person shall continue a Receiver-General, who hath not passed his Accounts, and obtained his *Quietus* for his former Receipts, and produced a Certificate thereof to the Treasury, before the 24th of *August*, 1699.

DCXXXII. Out of the Monies arising by this Act, six hundred thousand Pounds shall be appropriated, first for disbanding the Army, then for Subsistence and clearing of the Guards and Garrisons in *England*, and the Dominions thereof (*Ireland* excepted) for the Year 1699, and for Half-pay to Officers disbanded, and for the Ordinary of the Ordnance for the said Year 1699.

DCXXXIII. And the further Sum of eight hundred thousand Pounds shall be appropriated for the Navy and Ordnance, and for Sea-Service; whereof five hundred thousand Pounds for Wages to Seamen in the Navy Royal, and to his Majesty's Yards, and the remaining three hundred thousand Pounds for other Services of the Navy, Victualling and Ordnance for Sea-Service.

DCXXXIV. The Malt-Tickets amounting to forty thousand three hundred seventy-four Pounds seventeen Shillings and seven Pence; and the Tallies on the late Duty of Coal, transferred to Leather, amounting to fifty-eight thousand six hundred and twenty Pounds seven Shillings and two Pence, issued to the Treasurer of the Navy for Seamen's Wages, which remained in his Hands on the 17th of *March*, 1698, shall be applied (with the Interest due thereon) to the Victualling of the Navy. And the Tallies on the third four Shillings Aid, amounting to seventy-four thousand nine hundred and three Pounds seven Shillings and three Pence; and on the first three Shillings Aid, amounting to one hundred thirteen thousand eight hundred twenty-nine Pounds one Shilling and eleven Pence, remaining in the said Treasurer of the Navy's Hands, shall be applied, with the Interest due thereon, to the Course of the Navy; and the Commissioners of the Treasury may allow a Discount on the said Tickets and Tallies not exceeding ten per Cent. And the Buyer of such Tallies or Orders shall not be obliged to take the Oath concerning *Premiums*.

DCXXXV. Out of the said Sum of six hundred thousand Pounds for disbanding the Army, &c. so much as shall be sufficient for disbanding the four Regiments of Colonel *Seymour*, *Dutton-Colt*, *Moriaunt* and *Brudnell*, may be applied for the said disbanding till the 20th of *May*, 1699, till which Time the said four Regiments may be kept together.

DCXXXVI. The Pay to the Commission-Officers of the Guards and Garrisons shall be stated every two Months, from the 25th of *March*, 1699, to the 26th of *December*, 1699, and so much as will clear the said Officers Pay, shall be issued by the Commissioners

tioners of the Treasury, to the Paymaster General of the Forces, out of the Monies appropriated by this Act.

DCXXXVIII. Out of the Neat-Monies arising by the Customs granted for five Years, ending the 26th of *December*, 1699, after the Sum of one Million two hundred and fifty thousand Pounds, borrowed on the Credit of three hundred thousand Pounds *per Annum*, appropriated thereupon, and the Interest thereof is satisfied, the Sum of forty thousand Pounds shall be applied for *Premiums* to Contractors for circulating Exchequer-Bills.

DCXXXIX. The Rules contained in the Act for the two Shillings Aid granted i *W. & M.* shall be observed in Relation to the paying the Monies arising by this Act into the Exchequer.

DCXL. The Persons named in this Act, (*viz.* *Henry Earl of Drogheda, Francis Annesly, John Trenchard, James Hamilton, and Henry Longford, Esquires; Sir Richard Leving, and Sir Francis Brewster, Knights*) or any four of them, shall be Commissioners for six Months, from the 10th of *May*, 1699, to take an Account of the real and personal Estates forfeited for High Treason in *Ireland*, during the late Rebellion there, and the Names of such as have been outlawed, convicted or attainted of High Treason there, since the 13th of *February*, 1688; and the Quantity, Quality, Nature, true Value, and Situation of such forfeited Estates; and the Grants, Dispositions or Reversals of Outlawries thereupon, and for what Considerations; which Commissioners may meet at any Place in *Ireland*, with or without Adjournment, and send for Books, Papers and Records, and give an Oath for discovering the Truth of their Enquiries. And all his Majesty's Officers within the said Kingdom, are to obey and execute the Orders of the said Commissioners, one of the said Commissioners taking an Oath before a Baron of the Exchequer in *Ireland*, for his true and faithful Demeanor in the Premises, and the rest taking the same Oath before the Commissioner so sworn; which Commissioners shall give an Account of their Proceedings hereupon to the King and both Houses of Parliament in this Kingdom, when thereunto required.

DCXLI. Stat. 10 & 11 *W. 3. c. 18.* Whereas by an Act, *Anno 6 & 7 W. 3. c. 18.* several Duties were laid upon Glass and Glass-Wares, Stone and Earthen Bottles made within, or imported into this Kingdom, during the Term of five Years, from the 29th of *September*, 1695; and by another Act of 7 & 8 *W. 3. cap. 31.* the said Duties are continued for ever: And whereas by another Act of 9 & 10 *W. 3. cap. 45.* One half of the Duties on Glass and Glass-Wares were taken off from the first of *August*, 1698. It is now enacted, That from the first of *August*, 1699, the remaining half-part of the Duties imposed by the said Acts, or any of them, on Glass or Glass-Wares shall cease and be no longer payable,

payable, any Thing in the said Acts to the contrary notwithstanding.

Anno 10 & 11 W. 3. cap. 21. *An Act for laying further Duties upon Sweets and for lessening the Duties as well upon Vinegar as upon certain Low-Wines, and Whale-fins, and the Duties upon Brandy imported; and for the more easie raising the Duties upon Leather, and for charging Cinders, and for permitting the Importation of Pearl-Ashes, and for preventing Abuses in the brewing of Beer and Ale, and Frauds in Importation of Tobacco. Vide Excise.*

Anno 10 & 11 W. 3. cap. 22. *An Act for the more full and effectual charging of the Duties upon Rock-Salt. Vide Salt.*

DCXLII. Stat. 11 & 12 W. 3. cap. 2. For granting an Aid to his Majesty, by Sale of the forfeited and other Estates and Interests in Ireland, and by a Land-Tax in England, It is enacted, That for applying the Estates of the Rebels and Traitors in Ireland to the Ease of his Majesty's English Subjects, who were at a very great Expence in reducing that Kingdom to the Obedience of the Crown of England; all Lands, Tenements, Rents, &c. in Ireland, whereof any Persons, who are or shall be convicted or attainted of Treason or Rebellion since the 13th of February, 1688, or before the End of Trinity Term, 1701, or who died in actual Rebellion since the said 13th of February, 1688, were seised or interested in, or whereof the late King James II. was seised or interested in at his Accession to the Crown; and all Judgments, Securities, Debts, Goods and Chattels, which the Persons so convicted or attainted were possessed of, or interested in, on or since the said 13th of February, 1688, shall be vested in Sir Cyril Wyche, Knt. Francis Annesly, Esq; James Hamilton, Esq; John Baggs, Esq; John Trenchard, Esq; John Isham, Esq; Henry Langford, Esq; James Hooper, Esq; John Cary, Gent. Sir Henry Sheeres, Knt. Thomas Harrison, Esq; William Fellows, Esq; and Thomas Rawlins, Esq; Trustees for Sale of the said Estates, and their Heirs, Executors, &c. from the second Day of November, 1699.

DCXLIII. And where any of the said Persons were seised only of an Estate-Tail, the same is vested in the Trustees and their Heirs in Fee simple, to be sold as aforesaid.

DCXLIV. All Grants, Surrenders, Custodiams or Dispositions, since the 13th of February, 1688, under the Great Seal of England or Ireland, or Seal of the Exchequer, or by Act of Parliament in Ireland, of any of the said forfeited Estates, or of the Estate of the said late King James in Ireland, are declared null and void.

DCXLV. But not to make such Grantees, their Heirs, &c. accountable for the Profits of such Lands, Tenements, &c. by them received, by or before the said 2d of *November*, 1699.

DCXLVI. If any Person having any Right or Interest in any of the Estates so vested in the Trustees, on or before the said 13th of *February*, 1688, or if their Heirs, Executors, &c. have surrendered to his Majesty such Estate, Right or Interest, and accepted a new Grant thereof, such Persons are restored to the same Estate, Right and Interest, which they would have had if no such Surrender had been made.

DCXLVII. But not to prejudice any Estate, Right or Interest which any Persons, (adjudged to be comprized within the Article of *Limerick* or *Galloway*) or their Heirs, Executors, &c. have or may claim to any Part of the forfeited Premises, but every such Adjudication is confirmed.

DCXLVIII. Nor to prejudice any Person's Property, as to their personal Estate, who in Pursuance to their Majesties Declaration submitted to their Authority.

DCXLIX. The Trustees to take the Oaths appointed, *Anno 1 W. & M.* and an Oath for the due Execution of their Trust, and not to purchase any of the said Estates.

DCL. The Oaths to be administered by any two or more of the Trustees.

DCLI. The Trustees to appoint Registers, Clerks, Surveyors, Messengers, &c. who are to content themselves with such Fees and Rewards as the Trustees shall appoint.

DCLII. The said Registers, Clerks, &c. to take an Oath for the due Execution of their Trust, and not to purchase any Part of the Premises.

DCLIII. The Trustees, or any Seven of them, to meet and act at such Places in *Ireland* as they shall think fit; and may send for any Persons in *Ireland*, and for such Writings and Records as they shall think necessary, and may administer Oaths for Discovery of the Truth; and all Sheriffs, Bailiffs, Constables, &c. are to obey their Orders.

DCLIV. The Trustees may proceed summarily, and act and determine by Examinations on Oath, Inspection of Writings or otherwise; and are to inform themselves, as soon as may be, of the Names of all such Persons who are or shall be convicted or attainted, and of all real and personal Estates vested in the Trustees, and by whom forfeited, and their Interest in the same on the 13th of *February*, 1688, and of all Incumbrances such Estates were subject to on or before the said 13th of *February*.

DCLV. Persons neglecting or refusing to appear before the Trustees, or to be examined, may be committed to the County-Gaol till they conform.

DCLVI. Officers

DCLVI. Officers not obeying the Trustees Precepts may be fined, not exceeding 40 l.

DCLVII. Those who make a true Discovery of their Debts due to such convicted or attainted Persons, before the first of *November*, 1700, paying two Thirds thereof as the Trustees shall direct, shall be discharged of the intire Debt; but neglecting to make such Discovery, shall forfeit double the Debt.

DCLVIII. Such as are possessed of any Goods or Chattels of Persons so convicted, discovering the same to the Trustees before the first of *November*, 1700, shall be allowed one fourth Part thereof; but neglecting to discover the same, shall forfeit double the Value; and the Trustees may make such Compositions touching the Debts, Goods or Chattels so discovered as they shall think fit.

DCLIX. Debts secured by Penalties, or due on Accounts not adjusted, the Trustees may settle the same.

DCLX. Persons not so indebted, nor possessed of such personal Estate, who shall after the said first of *November*, 1700, discover any such real or personal Estate, till then concealed, shall have five Shillings *per* Pound out of such personal Estates, and out of the real Estates a like Proportion, not exceeding a fourth Part of the Value.

DCLXI. The Trustees shall certifie to the Lords Justices, or Chief Governors of *Ireland*, the Names of the Persons making such Discovery, and the Sums they are entitled to; and the said Chief Governors are to cause the same to be paid.

DCLXII. Goods or personal Chattels really sold by his Majesty's Commission, and the Monies *bona fide* answered, such Sales shall be good.

DCLXIII. Persons not convicted or attainted before the said last Day of *Trinity* Term, 1701, shall not be prosecuted for any High Treason committed during the said Rebellion in *Ireland*.

DCLXIV. All Persons, except the King, and those claiming under him, and except the forfeiting Persons aforesaid, and those claiming under them, or in Trust for them, and Persons in Remainder to an Estate-Tail of any forfeiting Persons, having any Right, Title or Interest in any the Lands, Tenements, &c. so vested in the Trustees, shall by the 10th of *August*, 1700, enter their Claims thereunto, or in Default thereof, such Right, Title, &c. shall be void.

DCLXV. The Claims of Infants shall be made by their Fathers or Guardians; of Feme-Coverts by their Husbands; of Ideots and Lunaticks by those under whose Care they are.

DCLXVI. Such Claims shall be tendered to the Trustees, written in Parchment, and signed by the Claimant, and the Signing testified by three Witnesses.

DCLXVII. Every

DCLXVII. Every Claimant shall particularly express his Demands out of the Premises, and how grounded, and the Circumstances of any Incumbrance thereon, which shall be entered in a Book, and heard and determined by the Trustees, before the 25th of March, 1701.

DCLXVIII. Claimants shall answer their Claims upon Oath, if required; and produce their Writings, and the Witnesses to them upon Oath; and where Persons concerned reside in *England*, any of the Judges there may administer such Oath.

DCLXIX. If such Claim be not allowed by the Trustees, such Claimants shall be for ever barred.

DCLXX. Persons making false Claims, shall forfeit double the Value of the Things claimed.

DCLXXI. Witnesses forswearing themselves, shall suffer as for wilful Perjury, and six Months Imprisonment.

DCLXXII. Claimants making good their Claims, the Trustees are to allow thereof.

DCLXXIII. The Trustees shall be a Court of Record, and their Judgments or Decrees recorded in Books of Parchment, and be final, notwithstanding any Disability in the Claimants, of Coverture, Infancy, &c.

DCLXXIV. Claims allowed shall be certified by the Trustees, if required, under their Hands and Seals; and such Certificate, or a Copy of the Decree, shall be allowed as Evidence; and all Rights, Interests or Incumbrances so allowed, shall never after be called in Question.

DCLXXV. All Conveyances of Lands in *Ireland*, since the 29th of May, 1686, by Persons since convicted or attainted, being private Trusts, except real Settlements, on or before Marriage, are declared fraudulent, and no Claim to be allowed thereupon.

DCLXXVI. Incumbrances satisfied by, or assigned to other Persons, shall be allowed for so much as was really paid thereupon. And Debtors to such convicted or attainted Persons, who have before the 10th of March, 1699, satisfied such Debts to any Grantees from the Crown of such forfeited Estates, shall be discharged of what was really paid; but such Grantees, &c. shall repay the Monies so received, into the Exchequer in *Ireland*, by the 24th of August, 1700, or forfeit double the Sum.

DCLXXVII. The Trustees upon Payment of Monies due to such forfeiting Persons, into the Exchequer, shall discharge the Parties so paying the same.

DCLXXVIII. The Trustees shall, as soon as may be, secure the personal Goods and Chattels so vested in them, and make an Inventory thereof, and by whom forfeited, and (being appraised upon Oath) shall sell the same by Cant or Auction.

DCLXXIX. The Money arising by such Sales, to be paid into the Exchequer in *Ireland*; and the Trustees to give the Buyer (if required) a Note of the Things so bought, and the Prices; and

and the Money being thereupon paid into the said Exchequer, the Trustees shall order the Delivery of the Things so bought; but if not paid within the Time appointed, then to forfeit a third Part of the Sum contracted for.

DCLXXX After the Time is expired for entring such Claims, the Trustees shall before the 25th of *March*, 1702, sell the Estates vested in them, and not claimed, as soon as may be after the 10th of *November*, 1700, and the Estates claimed, as soon as the Claims are determined; giving fourteen Days Notice of the Time and Place of Sale.

DCLXXXI. The Sale to be by Cant or Auction in Sterling-Money *English* Value, and the Contracts entred; and the Buyers, if they require it, to have a Note of the Contract under the Hands and Seals of the Trustees; and upon Payment of the Money into the Exchequer there, the Trustees to execute an Indenture of Bargain and Sale, which being entred by the Trustees, shall be delivered to the Purchasers, who shall inroll the same in Chancery there within six Months, paying six Shillings eight Pence *per Skin*, and twelve Pence for entring a Docket thereof in the Auditor's Office.

DCLXXXII. Any Persons or Societies may purchase the said Estates, notwithstanding any Statute of Mortmain.

DCLXXXIII. All such Purchasers having so inrolled their Conveyances, are adjudged to be actuall seised of the Premises: And the Sheriffs, if Need be, are to put them in Possession; and the Purchasers shall hold the same clear of all Quit-Rents, &c. due before the Date of their Conveyances; and clear of all other Demands but what are allowed by the Trustees.

DCLXXXIV. The said Estates to be held of the King in Socage, as of his Castle of *Dublin*, subject to such Crown-Rents, &c. as they were on the 13th of *February*, 1688, which Crown-Rents, &c. shall be for the Support of the Government of *Ireland*, and shall be unalienable: And all Grants and Incumbrances thereon, since the said 13th of *February*, are declared void.

DCLXXXV. Contractors not paying their Money in Time, shall forfeit one Fifth thereof.

DCLXXXVI. Grants of Quit-Rents, &c. for just Debts released to the Crown, to the full Value of such Grants, or Abatements of Quit-Rents for Badness, or Improvement of Land, not to be made void.

DCLXXXVII. Where any of the Estates so vested in the Trustees, are incumbered with Debts, Rent-charges, &c. the Trustees may sell so much of the said Estates as will clear the Incumbrances, or sell the Estates with the Incumbrances allowed by the Trustees, either together or in Parcels, apportioning the Rent-charges to the respective Lands so purchased.

DCLXXXVIII. All

DCLXXXVIII. All Persons possessed of any Lands, &c. hereby vested in the Trustees, shall before the 10th of *August*, 1700, give the Trustees a true Account thereof in Writing, or forfeit three Years Value thereof; and shall answer the Profits from the second of *November*, 1699, till the Time of Sale, under Penalty of being prosecuted in the Name of the King's Attorney-General of *England* or *Ireland*.

DCLXXXIX. And all Fines, &c. relating to the Estates so vested in the Trustees, shall be sued for in the Name of the King's said Attorney-General.

DCXC. No Protection, &c. shall hinder any Prosecution in Pursuance of this Act.

DCXCI. The Trustees, their Heirs, &c. shall not be accountable to his Majesty for any the Rents, &c. of the said Estates.

DCXCII. Purchasers of any of the said forfeited Estates since the said 13th of *February*, 1688, shall be discharged of such Part of the Purchase-Money as remains unpaid.

DCXCIII. The Trustees shall allow to such Purchasers since the said 13th of *February*, 1688, as shall prove Payment of their Money before the 10th of *August*, 1700, the Sum of 21000 *£*, in Proportion to their respective Payments. *Vide Ireland*, 26, &c.

DCXCIV. The Trustees to give a Certificate of the said Proportions, which shall charge the Lands so purchased in Nature of a Statute-Staple; but no such Allowance to be made to Purchasers, who by Perception of Profits have been satisfied their Purchase-Money.

DCXCV. Persons having received such Purchase-Money, their Executors, &c. shall be liable to repay the Surplus above such Allowance, as aforesaid, to the Purchasers, discounting the mean Profits received by such Purchasers.

DCXCVI. Such as have entred upon any the said forfeited Estates, without any Grant thereof, shall answer the Value of the Profits, during their Occupation thereof, into the Exchequer in *Ireland*, by the first of *August*, 1700, or forfeit double the Value.

DCXCVII. But discovering the same by the 10th of *August*, 1700, shall be discharged of the Profits thereof before the 1d of *November*, 1699.

DCXCVIII. All Owners or Occupiers of any of the said forfeited Estates, who since the 10th Day of *May*, 1695, have committed, or before the Sale shall commit any Spoil or Waste thereon, shall pay treble Damages to be ascertained by the Trustees, and certified into the Exchequer in *Ireland* for Recovery thereof.

DCXCIX. The said forfeited Estates shall not be charged with the Arrears of Rent or Interest-Money incurred during the late War in *Ireland*.

DCC. Upon Defaulters not claiming their Right, &c. to the said forfeited Estates liable to any Rent-charge, &c. from the Crown (since the Reduction of that Kingdom) such Rent, &c. is to be paid into the Exchequer in *Ireland*, by the first of *November*, 1700, or double the Sum to be forfeited.

DCCI. The surviving Trustees (or the major Part of them, being four at least) shall in case of the Decease of any of them execute this Act.

DCCII. Debentures for Arrears to the Officers of the Army, and for Transport Service, and for clothing the Armies, and Tallies, or Orders on the three Shillings in the Pound, *Anno 8 W. 3.* and upon Paper and Parchment, and Malt-Tickets, and Exchequer-Bills, and Tallies or Orders on the Quarterly Poll, *Anno 9 W. 3.* shall be taken as Sterling Money in purchasing the said Estates; and the Interest shall be allowed on the said Tallies and Orders, Malt-Tickets and Exchequer-Bills: Which Debentures, &c. so taken in, shall be registred and cancelled, and an Account thereof transmitted to the Exchequer in *England*.

DCCIII. The Monies arising by this Act in *Ireland* (not hereby otherwise applied) shall be appropriated to the paying the said Officers Arrears, Transport-Service and Clothing, and to the Principal and Interest due on the said Tallies and Orders, Malt-Tickets and Exchequer-Bills only, under the Penalties for misapplying the same, as for misapplying the Monies arising by the Land-Tax in *England*, granted by this Act.

DCCIV. An Allowance out of the first Monies arising by this Act in *Ireland*, to *Henry Earl of Drogheda*, *Francis Annesley*, Esq; *John Trenchard*, Esq; *James Hamilton*, Esq; and *Henry Langford*, Esq; Commissioners for enquiring into the said forfeited Estates of 1000 *l.* each; to *Sir Richard Living*, Knt. and *Sir Francis Brewster*, Knt. 500 *l.* each; and to *James Hooper*, Esq; their Secretary, 1000 *l.*

DCCV. And out of the Monies so arising by this Act in *Ireland*, an Allowance of 1500 *l.* per *Annum*, to each of the said Trustees, from the 25th of *March*, 1700, payable quarterly during their actual Execution of this Act respectively; and such Monies to be impressed for paying the Salaries of their inferior Officers, and for incident Charges, as to the Trustees shall seem meet.

DCCVI. All which Allowances, with the 1000 *l.* for former Purchases, shall be paid out of the Exchequer in *Ireland*, or by the Receiver or Collector of the said Monies, by the Trustees Warrants, without any other Authority.

DCCVII. The Trustees may make so many of the Contracts for Lands, &c. to be paid in lawful and current Coins, as will discharge the Rewards, Salaries, and Money Payments appointed by this Act out of the same.

DCCVIII. If

DCCVIII. If this Act shall raise more Money in Specie, than will satisfy the Money-Payments aforesaid; the Overplus to be transmitted to the King's Exchequer in England, for the appropriated Uses.

DCCIX. The Trustees Salaries shall not be taxable in England or Ireland.

DCCX. Officers or others having taken Grants of such forfeited Estates in Lieu of Arrears or Debts, and released his Majesty of the same, shall be intitled to such Arrears and Debts, as if not released.

DCCXI. The Trustees, as soon as may be, after the 25th Day of March, 1701, shall convey the Rectories impropriate, Advowsons, &c. so forfeited to such Trustees and their Heirs, as the Bishop of the Diocess shall nominate, for employing the Profit thereof for twenty Years from the second Day of November, 1699, in rebuilding or repairing of such Parishes Churches as the Lords Justices, &c. and the Bishop of each respective Diocess shall direct; and afterwards in perpetual Augmentation of small Livings: Which Appointments to be made and inrolled in Chancery, before the 25th of March, 1703. Vide Ireland, Sect. 24.

DCCXII. A Proviso for a Grant of 1500 l. Sterling made by the Crown for Repair of the Cathedral and other Churches in Limerick.

DCCXIII. And for a Grant of the Earl of Romney's, of a Piece of Ground in Cork, on which a new Church is erected.

DCCXIV. And for the King's Grant to Colonel Richard Gorges, for Lands claimed under the Acts of Settlement.

DCCXV. And for the Lands of Charles Lord Baltimore, who being outlawed by Mistake, may reverse the same, and enjoy his Estate.

DCCXVI. And for Edward Ghegan of Castle-Town in West Meath, for the Reversal of his Outlawry, and enjoying his Estate.

DCCXVII. A Clause for selling the forfeited Estate of William late Earl of Limerick (in case his Brother and Heir Thomas Dungan, Earl of Limerick, make no Claim as aforesaid) and for allowing out of it 8000 l. to the said Thomas Earl of Limerick, in full of all his Debts, Disbursements, Services and Arrears of Pension, and Pretences to the said Estate.

DCCXVIII. A Proviso for a Grant from the Crown for the Benefit of the Wife of the Lord Kenmare, or her Children, or the Wife or Children of Dudley Bagnall.

DCCXIX. And for Anne the Wife of Christopher, late Lord Slane, for her Equity to a Jointure and separate Maintenance.

DCCXX. And for the Grants to Sir Thomas Prendergast, Bar. and Francis de la Rue, Esq; for their timely discovering the Assassination-Plot,

DCCXXI. And for the Grants to Dr. *John Leslie*, *John Baker*, eldest Son of Colonel *Henry Baker*, and *James Roch*, for eminent Services in the Siege of *Londonderry*.

DCCXXII. And for the Grant and Release of Sir *Christopher Wandesford*, Bar. from the Natives of *Idough*, called *Brenans*, notwithstanding the Outlawry of the said *Brenans*.

DCCXXIII. And for the Grant in Trust for the Children of Sir *Charles Porter*, late Lord Chancellor of *Ireland*.

DCCXXIV. And for the Debts or Monies owing on or since the 13th of *February*, 1688, to Persons convicted or attainted, payable by *James Duke of Ormond*, or chargeable on his Estate, which in Consideration of his great Losses and Services are remitted.

DCCXXV. And for the Portions and Maintenance of the Daughters of the late Sir *Valentine Brown Lord Kenmare*.

DCCXXVI. And for 6000 l. among the Ladies *Margaret*, *Elizabeth* and *Catharine*, Daughters of *Galaghan Earl of Gluncarty*, for their Maintenance and Portion out of the said Earl's forfeited Estate.

DCCXXVII. And for *Dorothy*, Baroness-Dowager of *Upper Ossory*, to enjoy for her Maintenance the King's Grant of Lands for her Life, not exceeding 80 l. per Annum.

DCCXXVIII. **A**ND for the Maintenance of his Majesty's Navy, Guards and Garrisons, and paying the Debt to Seamen, &c. it is farther enacted, That 989965 l. 19 s. 6 d. Halfpenny be raised in one Year, from the 15th of *February*, 1699, according to the Proportions on the several Counties, &c. set down in the A&t.

DCCXXIX. Towards the raising whereof, all personal Estates except desperate Debts, Stock on Land, Household Goods and Loans to his Majesty) to pay two Shillings in the Pound, as also all Employments of Profit (except Military Officers of the Land-Forces or Navy;) and all Pensions and Annuities out of the Exchequer, &c. to pay the like Sum of two Shillings in the Pound.

DCCXXX. And that all Lands, Tenements, &c. be charged with as much Equality as possible by a Pound-Rate, for making up the full and entire Sums appointed by the A&t, to be collected and paid into the Exchequer by four quarterly Payments; the first Payment to be made on the 15th of *May*, 1700.

DCCXXXI. Landlords to abate for Fee Farm-Rents, or other annual Payments issuing out of their Estates.

DCCXXXII. The Commissioners of the last three Shillings Aid (if qualified) to be Commissioners for this Aid; and to meet on or before the third of *May*, 1700; and to write down the Proportions to be paid by every Division, with Regard to one Moiety of the Assessment, Anno 4 W. & M. And to subdivide, if they see Cause, so as two or more be appointed for each

each Division; but not to restrain the Commissioners from acting in any other Part of the County.

DCCXXXIII. Lists of the Commissioners to act in each Division, to be given to the Receiver-General.

DCCXXXIV. The Proportions to be equally assessed, and for that End the Commissioners to summon fit Persons to be Assessors, who are to appear at a Place and Time not exceeding ten Days, and then to charge them with the Execution of the Act.

DCCXXXV. Persons absenting without lawful Excuse, or refusing to serve, shall forfeit not exceeding five Pounds.

DCCXXXVI. The Commissioners to appoint two at the least of the ablest Inhabitants to be Assessors in each Parish, &c. and to prefix a Day and Place for bringing their Assessments, who are to assess the full Sum given them in Charge, and bring a Certificate of the Assessment, with the Names of two able Persons to be Collectors.

DCCXXXVII. The Assessors to take the Oaths *W. & M.* and to deliver one Copy of their Assessment to the Commissioners, who are to sign and seal two Duplicates thereof; one to be delivered to the Collectors, the other in Parchment (of the whole Sum charged on each Place) to the Receiver-General, and a like Schedule to be transmitted to the King's Remembrancer's Office, by the 8th of July, 1700, or within twenty Days after, all Appeals being first determined; and the King's Remembrancer or his Deputy, to give Receipts for the said Duplicates *gratis*, under Penalty of ten Pounds.

DCCXXXVIII. The Collectors to demand the Assessments of the Parties themselves, or at the Place of their last Abode, or upon the Premises charged, and to pay the same to the Receiver-General at such Time and Place as the Commissioners shall appoint; so as the whole for each quarterly Payment, be paid according to the Act.

DCCXXXIX. The Receiver-General to give Notice of his Deputies to the Commissioners, within ten Days after the first General Meeting; and so within ten Days after the Death or Removal of any Deputy.

DCCXL. The Receiver-General or his Deputy's Receipt, to be a Discharge to the Collectors, who shall not be obliged to travel above ten Miles from home.

DCCXLI. The Sum of 24749*l.* 9*s.* 10*d.* Half-penny for the first quarterly Payment, to be paid to the Receiver-General by the 15th of May, 1700. The like for the second quarterly Payment by the 25th of August, 1700. The like for the third quarterly Payment by the 15th of November, 1700. And the Remainder for the fourth and last quarterly Payment by the 15th of February, 1700.

DCCXLII. The Receiver-General within a Month after his receiving the full Sum charged on any Division for each particular Payment, to give the Commissioners a Receipt, which is to be a Discharge for such particular Payment: And the Receivers-General within twenty Days after their Receipt, to pay the Money into the Exchequer, and to be allowed two Pence in the Pound for what they so pay.

DCCXLIII. The Collectors to have three Pence in the Pound for what they collect and pay pursuant to the Act. And the Commissioners Clerks for writing the Assessments, Duplicates, &c. to have three Halfpence in the Pound.

DCCXLIV. In case of Nonpayment, the Collectors to distrain, and to keep the Distress four Days at the Owners Charge, then to be appraised and sold, and the Overplus returned: And it shall be lawful to break open Houses in the Day-time, and by Warrant from two Commissioners, any Chest, &c. calling the Constables to assist.

DCCXLV. The Commissioners to determine Disputes touching Distresses; and Persons refusing to pay by the Space of four Days after Demand, or conveying away their Goods, (except a Peer or Peerefs of this Realm) to be committed to Gaol till Payment: And Tenants are to pay the Tax and deduct the same out of their Rent.

DCCXLVI. The Tenants shall be discharged for what they so pay, and the Commissioners shall settle all Differences between Landlords and Tenants concerning the Tax.

DCCXLVII. Person over-rated complaining to the Commissioners within six Days after Demand, may be relieved within ten Days after Demand of the Assessment; and Appeals once heard and determined to be final.

DCCXLVIII. In case the Proportions on any County, &c. be not duly answered as first laid, the Commissioners are to cause new Assessments thereof to be made.

DCCXLIX. Persons neglecting or refusing their Duty in the Execution of this Act, to be fined as the Commissioners think fit, not exceeding twenty Pounds, which is not to be taken off, but by the Commissioners who imposed the same; and the Fines to be inserted in the Duplicates, and paid into the Exchequer.

DCCL. Collectors not paying the Money they receive, as the Act directs, to be imprisoned, and their Estates seized for Satisfaction.

DCCLI. The Commissioners to examine whether the Money assessed be duly collected and returned to the Receivers-General, and by them paid into the Exchequer.

DCCLII. If any Controverſie arise about the Assessments, which concerns any Commissioners, such Commissioners to withdraw during the Debate, or be fined, not exceeding 20 l.

DCCLIII. No

DCCLIII. No privileged Place or Person exempt from the Assessment: Free Farm-Rents, &c. to be taxed, and Tenants to pay the Tax, and to be saved harmless.

DCCLIV. Colleges or Halls in the Universities, &c. not to be charged; nor any Master, Fellow, Scholar, Exhibitioner, Reader, Officer or Minister of the Universities, &c. Nor Masters or Ushers of Schools for their Stipends, &c. Nor the Houses or Lands of *Christ's Hospital*, *St. Bartholomew's*, *Bridewell*, *St. Thomas* and *Bethlehem Hospitals*, nor *Mr. Ask's Hospital at Hoxton*, nor *Mr. Jepson's Charity at Rippon*, nor the Corporation of Clergymen's Sons, nor *Bromley College*, nor any Hospital or Almshouse, in respect of Rents to be received for the immediate Relief of the Poor thereof.

DCCLV. But the Tenants of Lands, &c. belonging to Hospitals, are to be rated for what they are worth above the Rents reserved.

DCCLVI. Tenants to Colleges, &c. (who by their Leases are to pay Taxes) are not discharged.

DCCLVII. Auditors and Receivers of Crown-Rents, are to allow a Rate to be abated in Proportion to the Tax on the Lands, &c. out of which they are issuing, without Fees, on Penalty of 20*l.* And Auditors, &c. who set any Person *insuper* for Sums which ought to be allowed, forfeit two hundred Pounds, and shall be incapacitated.

DCCLVIII. The Officers of the Exchequer are to deliver Lists of Pensions, Salaries, &c. to the Assessors *gratis*, and may stop the Tax, if unpaid, out of the same.

DCCLIX. Inhabitants of *London*, &c. are to be taxed in the Ward where they dwell.

DCCLX. Nothing is to lessen the Sum intended by this Act; nor to make void Contracts between Landlords and Tenants, or others, touching Payment of Taxes.

DCCLXI. All Places shall be assessed in such County or Division, &c. where usually assessed.

DCCLXII. But *West-Barnfield Hundred* may be assessed in the *Lathes of Scray in Kent*; *Norfolkmore Tything Com. Oxon* in *Bampton Hundred*; the Tythings of *Charlbury*, *Faller* and *Finstock* in the *Hundred of Chadlington*; *Leeds Com. Ebor.* in the *Hundred of Skirack*; and the *Forest of Chase*, where the same was assessed to the first four Shillings Aid.

DCCLXIII. Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue, and this Act, and give the special Matter in Evidence, and if the Plaintiff be nonsuit, &c. the Defendant shall have treble Costs.

DCCLXIV. Where Lands, &c. are unoccupied, and no Distress found, Distress may be afterwards made by the Collectors, &c. and (if not redeemed within four Days) sold, and the Overplus returned,

returned, and the Money distributed proportionably to the Persons who paid for the unoccupied Lands, &c.

DCCLXX. Collectors by Warrant may cut down and sell Wood at seasonable Times of the Year, for Distress, Timber-Trees excepted.

DCCLXXI. Where Tithes, Tolls, Profits of Markets, &c. are taxed, and not paid in fifteen Days after Demand, the Collector may seize and sell the same.

DCCLXXII. Receivers-General returning any Persons into the Exchequer who have paid the Tax, shall forfeit treble Damages to the Parties, and to his Majesty double the Sum returned.

DCCLXXIII. The Commissioners shall assess each other for personal Estates and Offices, if within the Limits of the Commissioners who tax the same, and shall also assess the Assessors.

DCCLXXIV. None to be compelled to be an Assessor or Collector out of the Limits of his own Parish.

DCCLXXV. Houses where Foreign Ministers reside, the Tax to be paid by the Owner.

DCCLXXVI. In all privileged Places, the Commissioners are to name two Persons, in or near the said Places, to be Assessors, and to appoint one or more Collectors.

DCCLXXVII. The Commissioners not liable to the Penalties in an Act 25 Car. 2. touching popish Recusants.

DCCLXXVIII. No Commissioner to act before he take the Oaths 1 W. & M. (unless it be in administering the said Oaths, which any two of them may do to any other Commissioner) under Penalty of two hundred Pounds.

DCCLXXIX. Offices to be rated and pay where the same are exercised.

DCCLXXX. Officers in Chancery, within the Liberty of the Rolls, shall be assessed there.

DCCLXXXI. Personal Estates to be rated where the Persons reside at the Execution of the Act; and Persons out of the Realm to be rated for personal Estates where they were last resident within the Realm.

DCCLXXXII. Persons having Goods, &c. in any County (other than where they live) shall be rated in the County where the Goods are; Annuities and Pensions in the Place where payable, and Lands, &c. in the Place where they lie.

DCCLXXXIII. Persons doubly charged shall be discharged, upon Certificate and Oath for so much as is certified.

DCCLXXXIV. Inhabitants of Scotland, Ireland, Jersey or Guernsey, not to be assessed for personal Estates there.

DCCLXXXV. Persons who by changing their Residence escape taxing, are to be charged treble.

DCCLXXXVI. Householders are to give an Account of their Lodgers to the Assessors, on Penalty of five Pounds.

DCCLXXXVII. Shares

DCCXXXII. Shares in the *New River*, *Thames*, *Marybone* or *Hampstead Waters*, in the Offices for *Insurance from Fire*, in the *Convex* or other Lights, or in the *King's Printing-house*, to be taxed at 2 s. in the Pound; and the said Shares, and all Companies of Merchants in *London*, to be assessed by the Commissioners for *London*, and the Sums paid by the respective Governors or Treasurers.

DCCLXXXIII. Every Papist or reputed Papist of sixteen Years of Age (not having taken the Oaths) shall pay double, unless such Papist take the Oaths within ten Days after the Meeting of the Commissioners.

DCCLXXXIV. Every Person of sixteen Years of Age, refusing to take the Oaths, shall pay double.

DCCLXXXV. Every Gentleman, or so reputed, who ought to have paid double to the quarterly Poll, 3 W. & M. and doth not voluntarily appear before the Commissioners, within ten Days after their first Meeting, and take the Oaths, shall pay double.

DCCLXXXVI. Every suspected Person may be summoned by the Commissioners to take the Oaths.

DCCLXXXVII. But Quakers subscribing the Declaration of Fidelity, 1 W. & M. shall not be charged double.

DCCLXXXVIII. The Commissioners are to cause the double Assessment to be made for not taking the Oaths, if the Assessors omit the same.

DCCLXXXIX. Where Owners of Lands, &c. are liable to be doubly charged, they only shall be so charged and not the Tenants, notwithstanding any Covenant for Payment of Taxes.

DCCXC. The *King's Bench Prison*, with the Lands, &c. the Rents and Perquisites of the Office of the Marshal thereof; and the *Marshalsea Prison*, and Office and Perquisites of the Marshal's Court, shall be assessed in the Parish of *St. George, Southwark*.

DCCXCI. The Water-works in *Southwark* shall be assessed in *Surrey*, and those in *Westminster* by the Commissioners, &c. for *Westminster*.

DCCXCII. All Persons concerned are to use Diligence in the Execution of this Act.

DCCXCIII. None shall be liable to the Pound-Rate, whose Lands, &c. are not of the yearly Value of twenty Shillings.

DCCXCIV. If any Collector keep the Money in his Hands, or pay any Part thereof, other than to the Receiver-General, or his Deputy, he shall forfeit twenty Pounds: And the Receiver-General or his Deputy, not paying the same, as the Act directs, shall forfeit five hundred Pounds.

DCCXCV. The Commissioners of the Treasury shall not divert the Payment of the Monies into the Exchequer, nor shall the Officers of the Exchequer use any indirect Practices therein.

DCCXCVI. No

DCCXCVI. No Stay of Prosecution shall be allowed in any Suit for Offences against this Act.

DCCXCVII. The Commissioners are impowered to abate the Assessment, on Proof that the Lands, &c. are charged above two Shillings in the Pound; and the Money abated shall be reassessed, as they shall judge most equal, on the whole Hundred or otherwise, though it exceed two Shillings *per* Pound.

DCCXCVIII. The Receiver General shall be answerable for his Deputies, and shall appoint so many of them, that no Sub-collector be forced to travel above ten Miles, to pay the Money he collects, on Penalty of one hundred Pounds; one Moiety to his Majesty, the other to the Prosecutor.

DCCXCIX. For want of a sufficient Number of Commissioners in any City, &c. any Commissioners for the County at large may act for such City, &c.

DCCC. Members of Parliament shall be assessed for personal Estates where their Mansion-houses or Places of Abode usually are, out of Parliament.

DCCCL. The first general Meeting of the Commissioners for the West Riding of Yorkshire shall be at *Pontefract*; for the North Riding at *Thirsk*; and for the East Riding at *Kilham*.

DCCCLI. The Annuities to the Queen Dowager, and to Prince George, and Princess Anne of Denmark, are not to be charged with the said two Shillings *per* Pound.

DCCCLIII. No Person shall act as a Commissioner, unless he was charged to the last Year's Land-Tax for fifty Pounds *per Annum*, or at the Time of executing this Act, shall be taxable for that Value.

DCCCLIV. Commissioners may act in any City, &c. where they dwell, and in the Inns of Court or Chancery. But no Attorney, Receiver or Collector to be a Commissioner.

DCCCLV. Persons disabled, and yet acting as Commissioners, shall forfeit fifty Pounds.

DCCCLVI. A Register shall be kept with the Auditor of the Exchequer, of all Orders payable out of the Monies arising by this Act in *England* and *Wales*; and the principal Monies lent the King, between the 5th of December, 1699, and the 13th of March, 1699, not exceeding 220000 *l.* and 100000 *l.* for paying Seamens Wages shall be first transferred, registred and paid, with Interest at 5 *per Cent. per Annum*; payable every three Months.

DCCCLVII. Further Loans may be made on the Credit of this Tax, not exceeding, with the aforesaid Loans transferred 933333 *l.* 6 *s.* 8 *d.* at an Interest of five *per Cent. per Annum*; and the Money so lent not to be assessed.

DCCCLVIII. The said Loans to be registred in Course after the transferred Orders, without any undue Preference; and in case of undue Preference, the Party offending to pay the Value of the

the Debt with Costs, &c. But it shall be no undue Preference where Tallies or Orders bear Date the same Day.

DCCCIX. Nor if subsequent Orders be paid before such as were not demanded in Course, provided the Money be reserved for them.

DCCCX. The registred Orders of Loan upon this Act shall be transferrable.

DCCCXI. The Overplus of the Neat-Produced of the great and small Branches settled for the Civil List, &c. above 700000*l.* for the Year ending the 25th of *December*, 1700, shall be appropriated to the Uses in this Act expressed.

DCCCXII. The Monies arising by the said Pound-Rate, and the Loans thereupon, and the transferred Loans, and the Overplus of the Subsidy of Tonnage and Poundage, &c. granted for five Years, ending the 25th of *December*, 1699, being 36383*l.* 5*s.* 4*d.* Farthing, and the Year's Overplus of the said Branches for the Civil List, ending the 25th of *December*, 1700. And the Duties on wrought Silk, &c. granted this Session, imported by the 30th of *September*, 1701. And on Muslin granted this Session (Management excepted) and the Monies arising by Purchase of Annuities by an Act of this Session; and the Plantation-Duties for one Year, from the last of *March*, 1700. And the Year's Produce upon the Duty of five Shillings *per Ton* on *French Ships*, from the 25th of *December*, 1699. And the Year's Produce of all the additional Duties on *French Goods* from the last of *March*, 1700. And the Year's Produce of 1*s.* 10*d.* *per Pound-weight* on wrought Silks, imported from the 25th of *December*, 1699. And 27000*l.* Part of the Monies to be advanced by the Farmers of the Excise, if the same be farmed, shall be thus appropriated, *viz.*

DCCCXIII. For paying off Seamen, for Recals, Victualling and Short-Allowance 300000*l.* Bounty-Money to Sea-Officers 18000*l.* Ordinary of the Navy (excluding the Charge of registering Seamen) 184342*l.* Extraordinary Repairs of the Fleet 90000*l.* Service of the Navy and Victualling, and Office of the Ordnance for Sea-Services 364000*l.* in all for Sea-Services 956342*l.*

DCCCXIV. Office of the Ordnance for Land-Service 25000*l.* Circulating Exchequer-Bills 40000*l.* Half-pay to disbanded Officers, not exceeding 40000*l.* And 300000*l.* for Subsistence, Off-reckonings and Clearing of the Guards and Garrisons for one Year, from the 20th of *December*, 1699, And 24000*l.* for the Arrears thereof the Year preceding (Clothing excluded.)

DCCCXV. For all which Tallies may be granted at 6*per Cent.* *per Annum* Interest for advancing the said Monies.

DCCCXVI. The Directions in the two Shillings Aid, *Anno 1 W. & M.* for Payment of the Monies into the Exchequer, and the Distribution thereof, and the Penalties for diverting or misapplying the same, are revived as to this Act.

DCCCXVII. The

DCCCXVII. The Commissioners for this Act shall be Commissioners for the Acts on Marriages, Births and Burials, and for the Duties upon Houses, during the Continuance of those Acts; and any three of them may act therein.

DCCCXVIII. His Majesty may contract for, or farm the Duties of Excise, and upon Salt, from the 24th of June, 1700, for three Years, under such Conditions as his Majesty shall think reasonable; allowing the Farmers or Contractors for their Advance Money not above 5 *l. per Cent. per Annum*.

DCCCXIX. The Farmers to pay the Rents contracted for to the Commissioners of Excise, to be by them weekly apportioned as appropriated, with a Continuance of the Penalties for misapplying thereof.

DCCCXX. If any of the Duties so to be farmed, determine during the Farm, a reasonable Abatement shall be made to the Farmers.

DCCCXXI. No Member of Parliament shall after the 24th of June, 1700, be a Commissioner or Farmer of the Excise, or a Commissioner of Appeals, or Controller or Auditor of the said Duty, or a Collector or Manager thereof, under Penalty of being incapable of sitting in the House of Commons; but not to disqualify such Member of Parliament at present, till after the 24th of June, 1700.

DCCCXXII. The County of *Wilts* being charged to the last Year's Land-Tax, with 45 *l. 10 s. 7 d.* more than what was intended upon Payment of 37302 *l. 8 s. 7 d.* Farthing, with 1451 *l. 17 s. 4 d.* Half-penny for *New Sarum*, &c. being three Fourths of the Sum it raised to the four Shillings Aid, granted *Anno 4 W. & M.* No Process shall issue for raising any further Sum on the said County.

DCCCXXIII. The Pay to the Commission-Officers of the Guards and Garrisons, and to the Gunners, shall be stated every two Months, from the 24th of December, 1699, to the 25th of December, 1700, and paid out of the Monies appropriated by this Act.

DCCCXXIV. Tenants to his Majesty returned into the Exchequer for Rent actually paid, shall be discharged on producing their Receipts.

DCCCXXV. The Commissioners for the last Year's Tax in some Counties, not having regard to ascertain in each Division three Fourths of the four Shillings Aid, granted *Anno 4 W. & M.* the same shall now be rectified, and the deficient Proportions reassessed.

Anno 11 & 12 W. 3. cap. 3. *An Act for laying further Duties upon wrought Silks, Mustins, and some other Commodities of the East Indies; and for enlarging the Time for purchasing certain*

reverses

reversionary Annuities therein mentioned. Vide Customs and Annuities.

DCCCXXVI. 12 W. 3. cap. 1. When Exchequer-Bills are brought to the Receipt of the Exchequer, the Commissioners of the Treasury, or High Treasurer, may cause the Principal and Interest due thereon to be cast up, and the Bills to be cancelled, causing the Number, Date, Principal and Interest of every such Bill cancelled, to be entered in a Book with the respective Fund upon which it is cancelled; and make new Bills, each to contain 100 l. 50 s. or 25 l. so as the Principal on the new Bills exceed not the Principal and Interest due on the cancelled.

DCCCXXVII. The new Bills shall bear Interest after the Rate of 4 d. a Day for 100 l. payable only for such Time as the said Bills shall not lie in his Majesty's Receivers or Collectors Hands, or in the Exchequer: The new Bills appropriated to the same Uses as the cancelled Bills, and to the same Penalties, &c. for diverting or misapplying the same.

DCCCXXVIII. The new Bills to have the same Currency, and the same Punishment for forging, and subjected to the same Rules and Methods as the cancelled.

DCCCXXIX. Proviso, Nothing to extend to dissolve the Contract between the Commissioners of the Treasury, and Subscribers for circulating Exchequer-Bills: And that the same shall be in Force as to changing such new Bills.

DCCCXXX. Stat. 12 W. 3. c. 10. An Act for granting an Aid to his Majesty for defraying the Expence of his Navy, Guards and Garrisons for one Year, and for other necessary Occasions.

DCCCXXXI. A Clause therein for enlarging the Time given by 11 W. 3. cap. 2. for determining Claims, and for Sale of forfeited Estates in Ireland. Appropriated by 12 W. 3. cap. 11. Sect. 246.

DCCCXXXII Stat. 1 An. c. 12. An Act for granting an Aid to her Majesty by divers Subsidies and a Land-Tax.

By this Act the Sum of 1979931 l. 19 s. 1 d. was to be raised by the Land-Tax. And a Clause that the Trustees for forfeited Estates in Ireland might sell the said Estates before the 24th of June, 1703.

And that the said Trustees shall convey the Baracks, and Site of the Baracks, to the Trustees of the Baracks and their Successors for ever.

And that Hungary Wines shall pay such Duties as are now payable for Rhenish Wines.

And that the East-India Companies shall deliver Salt-Petre to the Stores of her Majesty, her Heirs and Successors in Time of Peace at 45 l. per Ton, in Time of War at 53 l. per Ton.

DCCCXXXIII. Stat. 1 Ann. Stat. 1. c. 1. An Act for granting to her Majesty a Land-Tax for carrying on the War against France.

This

This Act was four Shillings in the Pound for one Year, beginning from the 25th of March, 1703.

DCCCXXXIV Stat. 1 Ann. Stat. 2. c. 15. An Act for granting to her Majesty several Subsidies for carrying on the War against France and Spain.

This Act was for one Year, beginning the 25th of March, 1703.

DCCCXXXV Stat. 1 Ann. Stat. 2. c. 22. If any Person intrusted to enter or file any Action, Complaint, Bail, Appearance, or other Matter, for which a Duty is payable (by the Stamp-Acts) shall neglect to enter or file the same four Months after Receipt of Money or Promise, or undertaking to enter or file the same, or shall not enter or file the same before any subsequent Proceeding thereon shall be had, or shall transact, enter, or file, such subsequent Proceedings thereto relating, before the said Action, &c. shall be entered or filed; such Person so neglecting shall forfeit 20 l. and Costs of Suit; and no such Record or Entry shall of it self be concluding Evidence of the Time the same was filed or entered, but Proof shall be admitted of the Time the same was made, written, entered or filed. See *Annuities, Sect. 39.*

Proviso, Not to oblige any to enter Appearance where Judgment is by Confession.

DCCCXXXVI. If any Person write or cause to be written, the Whole or any Part of any Matter, for which the said Duty is payable upon any Vellum, Parchment or Paper, whereon before was written any Thing, in Respect whereof the said Duty was payable, before such Vellum, Parchment or Paper shall have been again stamped, or shall raise or cause to be raised out the Name of any Person, or other Thing, or fraudulently cut or tear off any Stamp, with Intent to use it for any other Writing or Matter, for which the said Duty shall be payable, he shall forfeit for every such Offence 20 l. and Costs of Suit.

DCCCXXXVII. Person convicted of Offences by this Act, shall incur the Forfeitures and Disabilities, as if he had been convicted of writing (contrary to the former Acts) any Matter or Thing on Vellum, Parchment or Paper not stamped.

DCCCXXXVIII. Proviso, That no Officer be subject to any Penalties or Disabilities for writing in any Book or Roll without Stamps thereon, which Book, &c. shall have been first signed by the Commissioners, or Officers by them authorized for that Purpose, so as the Persons having the Custody of such Book or Roll do permit the said Commissioners or Officers to inspect the same, and when required pay the Duties for all such Matters as shall be written therein.

DCCCXXXIX. All Writings after the 25th of March, 1703. shall be written so that some Part thereof shall be upon, or as

near as conveniently may be to the Stamps, upon Penalty of 10 l. and Costs of Suit on Writer or Causar thereof to be written.

DCCCXL. One Moiety of the said pecuniary Forfeitures shall be to her Majesty, and the other to Persons suing for the same in any Court of Record, by Action of Debt, &c.

DCCCXLI. There shall be allowed to every Person, who shall at any Time bring to be stamped, or buy of the Commissioners Paper or Parchment, the Duties whereof amount to 10 l. after the Rate of 6 l. per Cent. per Annum for six Months, upon present Payment at the Head-Office.

DCCCXLII. The Controller and Accomptant-General of the Duties shall annually pass a general Account in the Exchequer, upon which shall be charged all Monies due for all the Stamps impressed, distinguishing those for which ready Money is paid, from those delivered to be sold or distributed, and from Monies arising to her Majesty for Penalties, and Monies paid by Registers of the Universities, Officers of the Law, or others, for Entries in Books, and Monies arising by Parchment and Paper, delivered out for the better accommodating the Subjects, so that the Profits arising may plainly appear in every Account.

And in Discharge of every such Account shall be comprehended all Monies paid by the Receivers-General of the Duties within the Time of such Account, Salaries, Charges of Management, Discounts for prompt Payment, Monies paid for Vellom, Parchment and Paper bought by the Commissioners, and other Things which by the Course of the Exchequer ought to be discharged in an Account of this Nature.

DCCCXLIII. Arrears of the said Duty shall at the End of such Account be set *insuper* on the Persons chargeable therewith, that the same may be recovered by the Process of the said Court according to the Course thereof.

DCCCXLIV. The Stock of Vellom, Parchment and Paper in the Warehouse, shall be set down at the Foot of every Account. The first annual Account shall be for the Year, ending the first of August, 1703, and shall be delivered to the Auditor of the Imprest by the Accountant-General before the 25th of December, 1703, and be sworn to by him; and not by his Negligence remain unfinished, May 1. 1704.

And every subsequent annual Account shall terminate, be delivered, sworn to, and finished in like Manner, on Penalty of forfeiting his Office, and 100 l. one Moiety to the Queen, the other to the Informer.

DCCCXLV. Proviso, If such Accountant-General wilfully and knowingly return any Person *insuper* for Money or Stamps duly answered by him, whereby he sustains Damage, then such Accountant shall pay treble Damages, to be recovered in any her Majesty's Courts at Westminster, with Costs of Suit. Several

Persons exempt from Penalties in the Stamp-Acts, per 4 & 5 A. cap. 12. See Sect. 849. See Annuities, Sect. 139.

DCCCXLVI. Stat. 2 A. c. 1. An Act for granting an Aid to her Majesty by a Land-Tax, to be raised in the Year 1704.

This Act was for 4 s. in the Pound, for one Year, beginning from the 25th of March, 1704.

DCCCXLVII. Stat. 3 A. c. 1. An Act for granting an Aid to her Majesty by a Land-Tax, to be raised in the Year 1705.

This Act was made for 4 s. in the Pound, for one Year, beginning from the 25th of March, 1705.

Anno 3. A. cap. 2. *An Act for raising Monies by Sale of several Annuities, for carrying on the present War. Vide Annuities.*

Anno 3. A. cap. 3. *An Act for continuing the Duties on Malt, Mum, Cyder and Perry, for one Year, beginning from the 23d of June, 1705. Vide Excise.*

Anno 3. A. cap. 4. *An Act for continuing Duties upon Low Wines, and upon Coffee, Tea, Chocolate, Spices and Pictures, and upon Hawkers, Pealars and Petty Chapmen, and upon Muslins, and for granting new Duties upon several of the said Commodities, and also upon Gallicoos, China Wares and Drugs. Vide Excise. By this Act the said Duties are continued until the 24th of June, 1710.*

DCCCXLVIII. Stat. 4 A. c. 2. An Act for granting an Aid to her Majesty by a Land-Tax, to be raised in the Year 1706.

This Act was for 4 s. in the Pound, for one Year, from the 25th of March, 1706. See the Monies, &c. lent on this last Act appropriated, per 4 A. cap. 11.

Anno 4 A. cap. 5. *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year 1706. See the Monies lent and appropriated, 4 A. cap. 2.*

DCCCXLIX. Stat. 4 & 5 A. c. 12. Persons admitted to Freedoms in Corporations on Paper or Parchment not stamp'd, or stamp'd for less Duty than ought; and Clerks, Stewards and Bailiffs holding inferior Courts of Record, County Courts, Court-Baron and Leer, having omitted the entering, issuing or filing, of Actions, Plaints, Bails, Appearances and other Process upon double stamped Paper or Parchment, shall be discharged of the Penalties not recovered by them. incurred before the first of December, 1705. Proviso, That such Person pay the Duties to the Receiver-General of the Stamp-Duties before the 29th of September, 1706. Vide Sect. 103. 506. 835. DCCCL. Pro-

DCCCL. Proviso, That the Admissions of Freemen admitted before the said first of *December*, 1705, and other Process, shall be good in Law. And that the Penalties not discharged by such Payment before the said 29th of *September*, 1706, may be sued for, so as such Suit be begun within one Year after the said 29th of *September*.

DCCCLI. The Duties payable by the Stamp-Acts shall extend to Appearances in such Actions wherein no Bail is filed, and not otherwise.

DCCCLII. Persons in Holy Orders having neglected to keep a Register according to the Acts relating to Marriages, Births and Burials (in case the said Duties be paid) shall be indemnified from the Penalties in the said Acts contained for such Neglects only. *Vide ante Sect. 163.*

DCCCLIII. On Affidavit made before one of the Barons of the Exchequer on or before 1 *May*, 1706, That any Ticket for Payment of Annuities by Virtue of 5 & 6 *W. & M. cap. 7.* (*Vide ante Sect. 25.*) is burnt or lost, the Officers appointed to pay such Annuity, upon producing the Certificate of the said Baron of such Affidavit, and upon Security to the good Liking of the said Officer to indemnify him, he the said Officer shall pay such Annuities.

DCCCLIV. Stat. 5 *A. cap. 1.* An Act for granting an Aid to her Majesty by a Land-Tax, to be raised in the Year 1707.

This Act was for 4 s. in the Pound, beginning from the 25th of March, 1707.

DCCCLV. Stat. 6 *A. cap. 1.* An Act for granting an Aid to her Majesty to be raised by a Land-Tax in *Great Britain*, for the Service of the Year 1708.

This Act was for 4 s. in the Pound, beginning from the 25th of March, 1708.

DCCCLVI. Stat. 6 *A. cap. 17.* An Act for assuring to the *English* Company trading to the *East-Indies* on Account of the united Stock, a longer Time in the Fund and Trade therein mentioned, and for raising thereby the Sum of 1200000 *l.* for carrying on the War, and other her Majesty's Occasions. *Vide Trade, 391.*

DCCCLVII. Stat. 6 *A. cap. 22.* An Act for continuing several Duties therein mentioned on Coffee, Chocolate, Spices, Pictures and Muslins; and additional Duties on several of the said Commodities; and certain Duties upon Callicoets, *China* Wares and Drugs, and for continuing the Duties called Two-third Subsidies of Tonnage and Poundage, for preserving the publick Credit; and for ascertaining the Duties on Coals exported

red from Foreign Parts; and for securing the Credit of the Bank of England; and for passing several Accounts of Taxes raised in the County of *Monmouth*; and for promoting the Consumption of such Tobacco as shall have paid her Majesty's Duties.

DCCCLVIII. Stat. 7 *A. cap.* 1. An Act for granting an Aid by a Land-Tax for the Year 1709, of 2,043,805 *l.* 1 *s.* 5 *d.* to be raised at 4 *s.* in the Pound.

DCCGLIX. Stat. 8 *A. cap.* 1. The like for the Year 1710.

DCCCLX. Stat. 9 *A. cap.* 1. The like for the Year 1711.

DCCCLXI. Stat. 10 *A. cap.* 1. An Act for granting an Aid by a Land-Tax for the Year 1712, of 2,042,591 *l.* 9 *s.* 4 *d.* to be raised at 4 *s.* in the Pound.

DCCCLXII. Stat. 12 *A. Sess.* 1. *cap.* 1. An Act for granting an Aid to the Queen, to be raised by a Land Tax in *Great Britain*, for the Service of the Year 1713, by a Sum of 1,021,299 *l.* 4 *s.* 9 *d.* whereof 999,322 *l.* 4 *s.* 2 *d.* shall be raised in *England*, at 2 *s.* in the Pound on personal Estates, and 2 *s.* on Lands at a Pound Rate; and 239977 *l.* 7 *d.* to be raised in *Scotland* by an eight Months Cess of 2997. 2 *s.* 6 *d.* per *mensem*.

DCCCLXIII. Stat. 12 *A. Sess.* 2. *cap.* 1. Enacted, That the Sum of 1,020,588 *l.* 16 *s.* 6 *d.* be raised in *Great Britain*, whereof 996,611 *l.* 15 *s.* 11 *d.* shall be raised in one Year, from the 24th of *March*, 1714, at 2 *s.* in the Pound on personal Estates, and 2 *s.* on Lands, at a Pound Rate; and that the Sum of 23977 *l.* 0 *s.* 7 *d.* Residue of the Sum of 1,020,588 *l.* 16 *s.* 6 *d.* shall be raised in *Scotland*, by an eight Months Cess of 2997 *l.* 2 *s.* 6 *d.* per *Mensem*, out of the Land-Rent.

Templers.

1. Stat. *De Terris Templariorum* 17 E. 2. Neither the King nor other Lords shall have by Escheat the Lands that were the Templers, (which Order was then dissolved) but those Lands shall remain to the Prior and Brethren of the Order of the Hospital of St. John of Jerusalem, which Order was then erected.

Tenure.

1. *Magna Charta*, 10. None shall distrain for more Service than is due.

II. *Magna*

II. Magna Charta, 31. If a Barony escheat to the King, the Tenants that hold of the same (not having other Lands that hold of the King in chief) shall pay like Relief, and do like Services to the King after such Escheat, as they paid or did to their former Lords, and not otherwise.

III. Magna Charta, 32. No Freeman shall give or sell so much of his Land, that of the Residue the Lord of the Fee may not have the Services due to him.

IV. Stat. Quia Emptores terrarum, 18 E. 1. In all Feoffments to one and his Heirs, the Feoffee shall hold his Land of the chief Lord of the Fee by the same Services that the Feoffor held before.

V. Here, if the Feoffment be made of Parcel, he shall hold of the chief Lord *pro particula*; according to the Quantity of the Land, and the Feoffor shall be set free for that Part.

VI. Howbeit, by such Sales or Purchases of Lands, or any Parcels thereof, such Lands shall not come into Mortmain, contrary to the Statute thereof lately made: Neither shall this Act be understood of any other than Lands in Fee simple.

VII. Stat. 1 E. 3. Stat. 2. c. 12. From henceforth Lands holden of the King in chief, and aliened without Licence, shall not be forfeited, but a reasonable Fine shall be taken (of such Lands so aliened) in Chancery by due Process.

VIII. Stat. 1 E. 3. Stat. 2. c. 13. Lands holden of the King, as of some Honour, shall not be taken into the King's Hands, as if they were holden of the King in chief, as of his Crown.

IX. Stat. 34 E. 3. 15. All Alienations which the Tenants of H. 3. and of other Kings before his Time, did make, are confirmed.

X. Stat. 7 E. 4. 5. Lands holden of a common Person by Fealty, Rent, or other Service, coming to the King's Hands by Attainder of Treason, and being afterwards granted by the King to another, shall be holden as if such Attainder had not been.

XI. Stat. 12 Car. 2. cap. 23. All Tenures by Knights-service *in Capite*, and Socage *in Capite*, and the Fruits and Consequents thereof, shall be taken away; and all Tenures turned into free and common Socage; and all Conveyances and Devises since the 24th of February, 1645, shall be of such Effect, as if the Lands and Hereditaments had then been holden in free Socage only, and all Tenures to be created by the King shall be in free Socage only, and not *in Capite*.

XII. Saving Rents certain, Heriots or Suits of Court, and Services incident to common Socage, and such Relief in respect of such Rent as is paid in case of a Death of a Tenant in common Socage; and Fines for Alienations due by particular Customs, other than of Lands holden immediately of the King in Capite, and saving Tenures in Frank-almoign; which also shall not be subject to other Services than now they are, nor Tenures by Copy altered, nor the Services of Grand Serjeanty (other than Wardship, Marriage, Escuage, Voyages Royal, and other Charges incident to Knight-service, and *aide pur faire fite chevalier & fite marrier*) taken away.

XIII. A Father, under Age or of full Age, of a Child under one and twenty, and not married at the Time of his Death, whether then born or *in ventre sa mere*, may by Deed in his Life-time, or by Will in the Presence of two Witnesses, dispose the Custody of such Child during Nonage, to any in Possession or Remainder, other than Popish Recusants; which Persons may maintain an Action of Ravishment of Ward or Trespass against wrongful Takers away or Detainers of such Child, and recover Damage for the Child's Use; and may take into their Custody for the Use of such Child, the Profits of his Lands and Hereditaments, and Custody of his personal Estate, according to such Disposition, and bring Actions in relation thereto as a Guardian in common Socage might do.

XIV. This Act shall not prejudice the Custom of *London*, nor of any other City or Town Corporate, or of the Town of *Borwick*, concerning Orphans, nor discharge any Apprentice from his Apprenticeship, nor infringe any Title of Honour feudal or other, by which any have or may have Right to sit in the Lords House of Parliament, as to their Title and sitting in Parliament, and Privilege belonging to them as Peers. *Confirmed 13 Car. 2. cap. 7.*

Thames.

I. Stat. 6 & 7 W. 3. cap. 16. After the first of May, 1695, the Justices of Peace in the Counties of *Wiltz, Gloucester, Oxford, Berks and Bucks*, shall be in their respective Counties, Commissioners for putting this Act in Execution. They, or any five of them, shall at their Quarter-Sessions make Orders for settling reasonable Rates and Prices to be taken by the Owners of all Barges, Boats or Vessels, and by the Tenants of all Locks, Weirs, Bucks, Winches, Turn-pikes, Dams, or other Engines within their respective Counties, upon the River of *Thames* and *Isis*, and make such other Orders concerning the same, so as to prevent such Abuses as have formerly happened, as to the said Commissioners, or any five of them, shall seem meet.

II. They

II. They shall assess the Rates of Carriage in such Boats, Barges, &c. in their Quarter-Sessions after *Easter* yearly, and give publick Notice thereof in Writing to every Mayor or Head-Officer in every Market-Town. And if any Owner of Boat, Barge, &c. takes above the said Rates for Water-carriage, or any Person break the said Rules or Orders, he shall, for every such Offence, forfeit five Pounds to the Party grieved, with double Costs of Suit, to be recovered in any Court of Record at *Westminster*.

III. If any Person be aggrieved by any such Rules or Orders, Justices of Assize, upon Complaint made within the Space of one Year, may confirm, vacate, or alter the same, as shall be thought convenient.

IV. Such Rules and Orders (except those for Water-carriage) shall be written in Parchment, and signed by five Commissioners, and so signed shall continue in Force for seven Years, and from thence till some new Rule or Order be made in the same Case.

V. Wears, Locks, &c. shall be adjudged and taken to lie in that County where the same are taxed and rated to the Church and Poor.

VI. Nothing in this Act shall extend to give any Jurisdiction to the foresaid Commissioners to put this Act in Execution, between the Village of *Berget*, and the City of *Oxford*, but that such Power shall still remain in Commissioners appointed by the University and City of *Oxford*.

VII. Nor shall any Thing herein lessen any Power or Jurisdiction of the Mayor and Citizens of *London*, or any other Person or Persons whatsoever.

VIII. The Barge-Master shall be answerable for Damages done by his Barge or Bargemen.

IX. This Act to continue for nine Years, and from thence to the End of the next Session of Parliament.

Tiles.

I. Stat. 17 E. 4. 4. Tile-Earth shall be cast up before the first of *November*, shired and turned before the first of *February*, and not made into Tile before the first of *March*; and shall likewise be tried and severed from Stones, Maln, Marle and Chalk.

II. A plain Tile shall contain in Length ten Inches and an Half, in Breadth six Inches and a Quarter, and in Thickness half an Inch half a Quarter, at least: A Roof or Cross-Tile in Length thirteen Inches, and in Thickness, as befooe, with convenient Deepness accordingly; a Gutter and a Corner-Tile in Length ten Inches and an Half, with a convenient Thickness, Breadth and Deepness.

III. If any shall sell Tile otherwise made, he shall forfeit to the Buyer the double Value thereof, to be recovered by Action of Debt; and besides, shall make Fine and Ransom at the King's Will.

IV. Justices of Peace shall hear and determine these Defaults and Offences, as well at the Suit of the King, as of the Party grieved, and shall not set less Fine upon an Offender against this Act, than after the Rate of 5 s. for every thousand of plain Tile, 6 s. 8 d. for every hundred of Roof-Tile, and 2 s. for every hundred of Corner or Gutter-Tile.

V. The said Justices have also Authority to appoint Searchers of Tile, who shall diligently execute that Office, in Pain to forfeit to the King for every Default 10 s. And they shall have of every Tile-maker for such Search after the Rate of 1 d. for every thousand of plain Tile, 6 d. for every hundred of Roof-Tile, and 7 d. for every hundred of Corner and Gutter-Tile; and shall make Presentment of all Defaults found at the next Sessions, which shall be as effectual in Law as a Presentment of twelve Men.

VI. None shall put any Tile to Sale before such Search be made, in Pain to forfeit the same. And the Justices of Peace have also Power to hear and determine the Defaults of the said Searchers.

Timber.

1. Stat. 20 Car. 2. cap. 3. An Act for the Increase and Preservation of Timber within the Forest of Dean. See the Act at large.

Tindale, Ridesdale and Examshire.

1. Stat. 2 H. 5. 5. If any Person of Tindale or Examshire commit any Murder, Treason, Manslaughter or Robbery, or consent thereunto, out of the said Franchises, Process shall be made against him until he be outlawed; and after Outlawry returned, the Justices before whom it is so returned shall make Certificate thereof to the Ministers of the said Franchises, who shall take such Felons, and seize their Lands and Tenements into the Hands of the Lords of the same Franchises as forfeit; but their Lands and Tenements out of those Franchises shall be seized to the Use of the King and other Lords (having Franchise there) as forfeit: saving to the King the Forfeitures of such Offenders which to him belong in Right of his Crown.

II. Stat. 9 H. 5. 7. The Statute of 2 H. 5. 5. made against Offenders in *Tindale* and *Cranshire*, shall be extended against the like Offenders in *Ridesdale*.

III. Stat. 11 H. 7. 9. The North and South *Tindale*, and all the Lands within the same, shall be guildable, and Parcel of the County of *Northumberland*; and no Franchise shall be there, but all the King's Officers shall be there obeyed.

IV. None shall demise any Lands for Years, Life, or at Will, there, but the Lessor shall before find two Sureties, having at least 40 *s. per Annum* within the County of *Northumberland*, to be bound by Recognizance in 20th to the King, to make Answer within eight Days Warning for all such Offences as aforesaid: And the Lessor shall forfeit 40 *s.* for every Acre otherwise let, to the King and Justices, and such Lease shall be void. The Justices of Peace also shall enquire of such Recognizances aforesaid. See the Statute at large.

Tithes.

I. Stat. pro Clero 7. 18 E. 3. No *Scire Facias* shall be awarded to warn a Clerk to answer for his Tithes before any secular Judge; saving to him his Right.

II. Stat. 1 R. 2. 14. Where, in an Action of Goods carried away, the Defendant maketh his Title for Tithes due to his Church, in such Case the Plaintiff's general Averment shall be taken, without shewing specially how the same were his Lay-chattel.

III. Stat. 5 H. 4. 11. The Farmers of Aliens shall pay Tithes to the Parsons and Vicars of the Parishes where the Lands in Farm do lie, notwithstanding they be seized into the King's Hands, or any Prohibition made to the contrary.

IV. Stat. 27 H. 8. 20. If the Judge of an Ecclesiastical Court make Complaint to two Justices of Peace (1 *2u*) of any Contumacy or Misdemeanor committed by a Defendant in any Suit there depending for Tithes, the said Justices shall commit such Defendant to Prison, there to remain till he shall find Surety to be bound, (before them) by Recognizance, or otherwise, to give due Obedience to the Process, Proceedings, Decrees and Sentences of the said Court.

V. This Act shall not extend to any Citizen of *London*; neither shall it restrain any Person from having their Defence and Remedy

Remedy according to the Ecclesiastical Laws, and the Laws and Statutes of this Kingdom.

VI. This Act shall not have longer Force than till the King and such 32 Persons as he shall appoint, shall have established the Ecclesiastical Laws for the Church of *England*, after which Time Tithes shall be paid according to those Laws, and not otherwise.

VII. Stat. 28 H. 8. 11. The Year in which the First-fruits shall be paid to the King, shall begin immediately after the Avoidance or Vacation of the Benefice; and the Tithes and other Profits of any such Benefice arising during the Time of the Vacation shall belong to the Presentee, or his Executors, towards Payment of the First-fruits; which if any Archbishop, Bishop, or other, hinder him to have, he shall forfeit the treble Value thereof, to be divided betwixt the King and such Incumbent. Howbeit, such Archbishop, Bishop, Ordinary, or other Officer shall be allowed the Charge of the Cure, and of inning Tithes, and other Profits.

VIII. Here also the Incumbent before his Death may make and declare his Will of the Grain sown by him on the Glebelands.

IX. But the Successor (upon a Month's Warning) shall have the Parsonage-house and the Glebe not sown.

X. If the Fruits of such spiritual Promotion received be not sufficient to pay the Curate, the next Incumbent shall do it within fourteen Days after his Induction.

XI. Stat. 32 H. 8. 7. All Persons shall duly set forth and pay all Tithes and Offerings, according to the Custom of the Places where they grow due.

XII. If Tithes or Offerings be not so set out and paid, the Party grieved may convent him that so detains them before the Ecclesiastical Judge, who hath Power to hear and determine the Matter in Question ordinarily or summarily, according to the Ecclesiastical Laws, and give Sentence thereupon accordingly.

XIII. Here, if any of the Parties appeal, the Judge upon such Appeal shall adjudge to the other Party reasonable Costs: and compel the Appellant to satisfy them by Process and Conferences Ecclesiastical, taking Surety of the other Party, to whom the Costs shall be adjudged, to restore the Costs in case the principal Cause pass against him.

XIV. If any Person, after such Sentence given, refuse to pay the Tithes, or Sums of Money adjudged, then two Justices of Peace (1 Qu.) shall (upon Certificate thereof from the Judge) commit the Party so refusing to the next Gaol, there to remain until he have found Sureties to be bound by Recognizance (or otherwise

otherwise before the same Judge) to the King to perform the said Sentence.

XV. Howbeit, none shall be thereby compelled to pay Tithes for Lands or other Hereditaments, which by the Laws and Statutes of this Realm are discharged, and not chargeable with the Payment of Tithes: neither shall it extend to the City of London, or the Suburbs thereof.

XVI. In all Cases where any Person who hath any Estate of Inheritance, Freehold, Term, Right or Interest, in any Parsonage, Vicarage, or other Ecclesiastical Profit, which now be, or hereafter shall be made Temporal, and admitted to be and abide in Temporal Hands, and to Lay-uses, by the Laws and Statutes of this Realm, shall happen to be hereafter outed, or otherwise wronged, from or concerning the same, he or she shall have Remedy for the same in the King's Temporal Courts, or other Temporal Court, (as the Case shall require) by Writs of *Præcipe quod reddat*, *Affise of Novel Disseisin*, *Mort d'ancestor*, *Quod ei deforceat*, Writs of Dower, and other original Writs, as the Case shall require, in like Manner as for Lands, Tenements, and other Hereditaments in such Manner to be demanded.

XVII. Also Writs of Covenant, and other Writs for Fines to be levied, and other Assurances to be had and made of Parsonages, Vicarages, and other Profits called Spiritual, shall be devised and granted in Chancery, as have been used for Fines and Assurances of other Lands. Likewise all Judgments given and Fines levied for and of such Parsonages, &c. shall be of like Effect as Judgments given, and Fines levied of other Lands.

XVIII. Howbeit, a Remedy for Tithes or Offerings shall be had in the Ecclesiastical Court, (and not in Temporal Courts) as above by this Act is provided.

XIX. Stat. 37 H. 8. 12. A Confirmation of a Decree made by Thomas Archbishop of Canterbury, and others there named, for the Payment of Tithes in London. See the Statute and Decree at large.

XX. Stat. 2 & 3 E. 6. 13. The Statutes of 27 H. 8. 20. and 12 H. 8. 7. are confirmed: And every Person shall without Fraud yield and pay all predial Tithes, as hath been used within forty Years before the making of this Act, or as of Right or Cullom they ought to have been paid.

XXI. None shall take or carry away any Tithes (paid, or that ought to have been paid as aforesaid) before he hath justly divided and set forth for the Tithe thereof the tenth Part of the same, or otherwise agreed for the same Tithes with the Parson, Vicar, or other Owner, Proprietor or Farmer thereof, in Pain to forfeit the treble Value of the Tithes so taken or carried away.

XXII. At

XXII. At Tithing-time it shall be lawful for the Owner (claiming such predial Tithes) his Deputy or Servant, to see his said Tithes be truly set out and severed from the nine Parts, and the same quietly to take and carry away.

XXIII. If any Person carry away his Corn, Hay, or other predial Tithes, before they be set out, or willingly withdraw his Tithes of the same, or of other Things whereof predial Tithes ought to be paid, or to let such Owner to view, take and carry away his Tithes as aforesaid, by reason whereof they are lost, impaired or hurt; then, upon due Proof thereof before a Spiritual Judge, the Party so carrying away, withdrawing, letting or stopping shall pay the double Value of the Tithes so taken, lost, withdrawn or carried away, besides Costs of Suit, to be recovered before such Ecclesiastical Judge according to the Ecclesiastical Laws.

XXIV. Tithe of Cattle feeding in a Waste or Common, where the Parish is not known, shall be paid by the Owner of such Cattle in the Place where he dwells.

XXV. None shall be compelled to pay Tithes for Lands or other Hereditaments, which by the Laws and Statutes of the Realm, or by any Privilege or Prescription, are not chargeable therewith, or are discharged by any Composition real.

XXVI. Barren, Heath and Waste Grounds, (other than such as be discharged from Tithe by Parliament) which have heretofore paid no Tithes by reason of the Barrenness thereof, but be now improved and converted to arable Ground or Meadow, shall at the End of seven Years next after such Improvement pay Tithes: Or if they yield some small Tithe before the Improvement, they shall only pay the same small Tithe during the first seven Years, but afterwards shall pay the full Tithe according to such Improvement.

XXVII. Every Person exercising Merchandize, buying and selling, or any other Art or Faculty (being such Persons and in such Places as heretofore within forty Years have used to pay personal Tithes, or of Right ought to have paid them, and not Day-labourers) shall yearly, at or before *Easter*, pay for his personal Tithes the tenth Part of his clear Gains, reasonable Charges and Expences being deducted.

XXVIII. Handicraft Men, having used to pay Tithes within forty Years, shall still pay them.

XXIX. The Ordinary hath Power to examine him that refuseth to pay his personal Tithes by any lawful Means (otherwise than by his own Oath) concerning the Payment of such Tithes.

XXX. Offerings shall be paid in the Place where the Party dwells) at such four Offering-Days as heretofore, within the space of four Years last past, have been used for the Payment thereof; but in Default thereof at *Easter*.

XXXI. Parishes

XXXI. Parishes that stand upon or towards the Sea-coasts, the Commodities whereof consist much in Fishing, shall pay their Tithes as they have done within forty Years, and their Offerings as aforesaid.

XXXII. This Act shall not extend to *London* or *Canterbury*, or their Suburbs, nor to any other Town or Place where the Inhabitants have used to pay Tithes by Houses.

XXXIII. Suits for subtracting or withdrawing of Tithes, and other Profits spiritual, shall be prosecuted in the Ecclesiastical Court before the Ecclesiastical Judge, who hath Power (no Original or Prohibition hanging) to excommunicate the Party disobeying the Sentence; and if he stand excommunicate 40 Days, to certify the Excommunication (after Publication thereof at the Place or Parish where such Party dwells) into the Chancery, and thereupon to require Process *De Excommunicato capiendo* to be awarded against the Person so excommunicate.

XXXIV. Before a Prohibition shall be granted, the Party Plaintiff therein shall bring a true Copy of the Libel exhibited into the Ecclesiastical Court concerning that Suit, subscribed with the Hand of the same Party, and there-under shall be written the Suggestion whereupon the Party demanded such Prohibition; and the Libel thus ordered shall be delivered to the Justices of the Court where the Prohibition is to be demanded: And if such Suggestion be not proved to that Court by two sufficient Witnesses within six Months next after such Prohibition granted, the other Party shall (upon Request) have Consultation, and double Costs and Damages awarded by the said Court, and may recover such Costs and Damages by Action of Debt.

XXXV. This Act shall not give Power to any Ecclesiastical Judge to hold Plea of any Matter against the Meaning of the Statute of *Westm. 2. cap. 5. Articuli cleri, Circumspecte agatis, Sylva cadua*, the Treatise *De regia Prohibitione*, nor of 1 E. 3. 10. nor any of them, nor where the King's Court ought of Right to have Jurisdiction.

XXXVI. No Tithes of Marriage-Goods shall be paid in *Wales*, nor the Marches thereof.

XXXVII. Stat. 3. W. & M. cap. 3. All Persons that shall sow or cause to be sown any Hemp or Flax, shall pay to every Parson, Vicar or Impropiator of the Parish or Place, for every Acre so sown, pulled or drawn, an annual Sum not exceeding four Shillings, before it be carried off the Ground, and so proportionably; for the Recovery of which such Parson, &c. shall have the Common and usual Remedy.

XXXVIII. This Act shall not charge any Lands discharged by any *Modus decimandi*, ancient Composition, or otherwise.

XXXIX. This

XXXIX. This Law to continue for seven Years, and to the End of the then next Session of Parliament.

XL. Stat. 7 & 8 W. 3. cap. 6. For the more easie and effectual Recovery of small Tithes, and the Value of them, under forty Shillings *per Annum*, Enacted, That all Persons shall henceforth well and truly set out and pay all and singular small Tithes, and Compositions and Agreements for the same, Offerings, Oblations and Obventions, to the Rectors, Vicars, or other Persons to whom they shall be due in their several Parishes in England, Wales, and Town of Berwick, according to the Rights, Customs and Prescriptions commonly used in the said Parishes respectively; and if any Person shall hereafter substract or withdraw, or any ways fail in the true Payment of such small Tithes, Offerings, &c. for twenty Days after Demand thereof, then the Person to whom the same are due may make his Complaint in Writing to two or more Justices of Peace in that County, City, Place or Division where the same grows due; neither of which Justices is to be Patron of the Church where the said Tithes, &c. arise, nor any ways interested in the said Tithes, &c.

XLI. And if such Complaint be hereafter brought to two or more Justices of the Peace, as aforesaid, the said Justices are hereby authorized and required to summon in Writing under their Hands and Seals, by reasonable Warning, the Person or Persons against whom such Complaint shall be made, and after Appearance or Default, the Summons being proved upon Oath, the said Justices, or any two of them, shall proceed to examine and determine the said Complaint, and upon Proofs and Evidence produced before them, shall in Writing under their Hands and Seals adjudge the Case and give such reasonable Allowance for such Tithes, &c. so substracted or with-held, and also such Costs, not exceeding ten Shillings, as they shall judge just and reasonable.

XLII. If any Person shall refuse or neglect by the Space of ten Days after Notice, to pay the Sum which shall be so adjudged, the Constables and Churchwardens of the said Parish, or one of them, shall by Warrant under the Hands and Seals of the said Justices, distrain the Goods and Chattels of the Party so refusing; and after detaining them the Space of three Days, in case the Sum adjudged be not paid with reasonable Charges for making the Distress, he shall make publick Sale of the same, pay the Sum adjudged to the Party complaining, retain reasonable Charges for distraining, as the said Justice shall think fit, and return the Overplus, if any be.

XLIII. The Justices in the Examination of the Matters offered to them by this Act, may administer an Oath or Oaths.

XLIV. This Act not to extend to Tithes, &c. within the City of London, or the Liberties thereof, or other City or Town where the same are settled by any particular Act of Parliament.

XLV. No Complaint to Justices of Peace for Tithes, &c. hereafter due, shall be heard and determined by them, unless made within two Years after the said Tithes become due.

XLVI. Parties aggrieved by any Judgment of the said two Justices, may appeal to the next Quarter-Sessions, and the Justices there present, or the major Part of them, shall finally hear and determine the Matter; and if they find Cause to confirm the Judgment given by the said two Justices, they shall decree the same by Order of Sessions, and give Costs against the Appellant, to be levied by Distress and Sale of his Goods and Chattels; and no Proceedings by Virtue of this Act shall be removed or superseded by any Writ of *Certiorari*, or other Writ from any Court at *Westminster*, or other Court whatsoever, unless the Title of such Tithes, &c. shall be in Question.

XLVII. Where any Person or Persons complained of for withholding small Tithes, or other Duties aforesaid, shall before the Justices of Peace, insist upon a Prescription, *Modus decimandi*, &c. whereby he or she ought to be freed from Payment of the same, and deliver the same in Writing to the said Justices subscribed by him or her, and shall then give reasonable and sufficient Security to pay all such Costs and Damages, as upon a Trial at Law, shall be given against him or them, in case the Prescription, *Modus*, &c. shall not, upon the said Trial, be allowed; in that Case the said Justices of Peace shall forbear to give Judgment, and then the Person complaining shall be at Liberty to sue for the said Substraction in any other Court where he might have sued before making of this Act.

XLVIII. Every Person obtaining Judgment, or against whom Judgment shall be obtained before Justices of Peace out of Sessions, for small Tithes, &c. shall produce the same to be inrolled at the next Quarter-Sessions; and the Clerk of the Peace is required upon Tender to inroll the same, and not to receive for so doing, more than one Shilling; and the Judgment so inrolled, and the Money so adjudged, paid, shall be a good Bar to conclude the said Rector or Vicar from any other Remedy for the said small Tithes, &c.

XLIX. If the Person against whom such Judgment shall be had, shall after such Judgment, and before the levying the Money adjudged, remove out of the County, City or Corporation, the Justices who made the Judgment, or one of them, shall certify the same under Hand and Seal to any Justice of Peace of such other County, City, &c. where the said Person shall inhabit, who is hereby required, by Warrant under his Hand and Seal to the Constables or Churchwardens of the Place, or one of them,

them, to levy the Sum so adjudged, in such Manner as the said other Justices might have done, in case the Party had not removed.

L. No Vicar or other Person shall recover small Tithes, &c. due before the making of this Act, unless Complaint be made to Justices of Peace before the first of October, 1696.

LI. The said Justices who shall hear and determine the Matters aforesaid, shall have Power to give Costs, not exceeding ten Shillings to the Party prosecuted, if they shall find the Complaint false and vexatious, to be levied as aforesaid.

LII. Any Person sued for any Thing done in Execution of this Act, shall recover double Costs, in case the Plaintiff discontinue, be nonsuit, or Verdict pass against him.

LIII. No Clerk or other Person, who shall begin any Suit for Recovery of small Tithes, &c. not exceeding the Value of forty Shillings, in the Court of Exchequer, or any Ecclesiastical Court, shall have any Benefit by this Act for the same Matter for which he or they have so sued.

LIV. This Act to continue for three Years, and from thence to the End of the next Sessions of Parliament.

LV. Stat. 10 & 11 W. 3. cap. 15. Enacted, That the Act made Anno 7 & 8 W. 3. intituled, *An Act for the more easie Recovery of small Tithes*, which was to continue but three Years, and to the End of the next Session of Parliament, be continued for seven Years from the Expiration thereof, as aforesaid, and from thence to the End of the next Session of Parliament, and no longer.

LVI. Stat. 11 & 12 W. 3. cap. 16. After the 25th of March, 1700, all Persons who shall sow, or cause to be sown, any Hemp or Flax (in England, Wales or Berwick) shall pay to every Parson, Vicar or Impropiator of the Parish or Place yearly five Shillings and no more, for each Acre so sown, before the same be carried off the Ground, and so proportionably; for the Recovery of which such Parson, &c. shall have the common and usual Remedy.

LVII. This Act shall not charge any Lands discharged by any *Modus decimandi*, ancient Composition, or otherwise.

LVIII. Nor alter the Right or Manner of Payment of such Tithes for such Ground as hath been sown with Flax or Hemp since the 2d of February, 1684, and before the 2d of February, 1691, and paid Tithe in Kind.

LIX. This Law to continue for seven Years, from the 25th of March, 1700, and thence to the End of the next Sessions of Parliament. Continued per 6 A. cap. 28. from the 25th of March, 1708, for seven Years; and from thence to the End of the next Session of Parliament.

Tobacco.

I. Stat. 12 Car. 2. cap. 34. None shall set or improve Tobacco in *England, Wales, Guernsey, Jersey, or Town of Berwick, or Ireland*, on Pain to forfeit it, or the Value, or 40*s.* for every Rod of Ground so planted, and so proportionably; one Half to the King, the other to the Informer.

II. Sheriffs, Justices of the Peace, Mayors, Bailiffs, Constables, within ten Days after Information of Tobacco set or growing contrary to this Act, shall cause it to be destroyed.

III. They that oppose the Execution of this Act shall forfeit 5*l.* to be divided, as aforesaid. In case of Non-payment of Money to be paid by this Act, a Distress shall be taken and sold; and for Want thereof the Party shall be committed two Months.

IV. This Act shall not hinder planting Tobacco in Physick-Gardens of either University, or other private Garden for Physick or Chirurgery, so as the same exceed not one half Pole in each Garden. *Confirmed 13 Car. 2. cap. 14.*

V. Stat. 15 Car. 2. cap. 7. They that set, plant or sow Tobacco in *England, Wales, Guernsey, Jersey, or Town of Berwick*, shall besides the Penalty of *12 Car. 2. cap. 34.* forfeit 10*l.* for every Rod of Ground so planted, and so proportionably; one third Part to the King, another to the Poor of the Parish, the other third to the Informer.

VI. Persons resisting the Execution of the Act of *12 Car. 2. cap. 34.* shall besides the Penalty therein mentioned, be committed to Gaol till they enter into Recognizance with Sureties of 10*l.* Penalty not to do the like again.

VII. The like Proviso for Physick-Gardens, and Gardens of Chirurgery, as in *12 Car. 2. cap. 34.*

VIII. Stat. 22 & 23 Car. 2. cap. 26. Justices of Peace shall a Month before every Quarter-Sessions issue Warrants to High Constables, Petty Constables and Tithingmen to make Search what Tobacco is then sown, planted or made within their several Limits, and by whom, and to make Presentment in Writing upon Oath at the next Quarter-Sessions: Which Presentment being filed by the Clerk of the Peace in open Sessions, shall be a Conviction in Law, unless the Person so presented (having Notice thereof by Delivery of a Copy thereof, or leaving one at their Houses in the Presence of one or more Witnesses, ten Days before the next Quarter-Sessions) shall traverse such Presentment, and find Sureties to prosecute such Traverse at the Quarter-Sessions next after such Traverse entered.

IX. Constables, &c. and other publick Officers, shall from Time to Time, within fourteen Days after Warrant from two or more Justices of Peace, calling to them such as they find convenient, destroy all Tobacco planted or growing in any Ground.

X. And if any such Tobacco shall be unconsumed fourteen Days after Receipt of such Warrant, the Constables, &c. shall forfeit 5 s. for every Rod of Ground so set or planted, &c. and proportionably for a greater or lesser Quantity: One Moiety to the King, the other to him that will sue for the same.

XI. Persons refusing to assist any Constable, &c. upon Conviction before two Justices of the Peace, shall forfeit 5 s. to be levied by Warrant from them, by Distress and Sale of Goods, and for Want thereof be committed for a Week.

XII. Persons forcibly resisting any Constable, &c. in the due Execution of this Act, upon Conviction before two Justices of the Peace, shall forfeit 5 l. to be levied by Warrant from them, by Distress and Sale of Goods, and in Default thereof be committed for three Months.

XIII. Defendants in Suits commenced for acting in pursuance of this Act, or that of 12 Car. 2. cap. 34. or 15 Car. 2. cap. 7. may plead the general Issue, and give the special Matter in Evidence: And if the Plaintiff be nonsuit, or forbear Prosecution, or discontinue, or a Verdict be against him, the Defendant shall recover Costs.

XIV. The like Proviso for Physick-Gardens and Gardens for Chirurgery, as in the two former Acts.

XV. This Act shall continue nine Years, and to the End of the Session of Parliament then next ensuing.

XVI. Stat. 1 Jac. 2. cap. 17. Continued for seven Years, and from thence to the End of the next Session of Parliament.

XVII. Continued from the 13th of February, 1692, for seven Years, and to the End of the next Session, by Stat. 4 & 5 W. & M. Sess. 4. Sess. 6.

XVIII. Stat. 12 A. Sess. 2. cap. 8. enacted, That after the first of June, 1714, for five Years, and from thence to the End of next Session of Parliament, there shall be an Allowance of eight Pounds *per Cent.* made to the Merchant at Importation, out of all the Duties payable on Tobacco, instead of the former Allowances, which shall not be deducted on Exportation.

XIX. The Payment of several Duties on Tobacco, at the different Times mentioned in the Acts 12 Car. 2. 1 Jac. 2. 7 W. 3. 9 W. 3. 2 A. have been found to be prejudicial to Trade, and a Loss to the Revenue; therefore it is now enacted, That after the 1st of June, 1714, for five Years, and so to the End of the next Session, &c. all the Duties on Tobacco shall be due and payable at the End of eighteen Months, to commence at the End of thirty

thirty Days after the Master's Report of the Ship, or from the Merchant's Entry of the Goods within those thirty Days, which shall first happen; and the Bonds shall accordingly be made payable at the End of eighteen Months.

XX. If the Importer or Proprietor shall, upon Entry made, pay ready Money for all or any Part of the Duties within the said thirty Days, or within any Time of the first fifteen Months, to commence at the End of the thirty Days after the Master's Report of the Ship, he shall in Lieu of all former Discounts for prompt Payment, have an Allowance of ten Pounds *per Cent. per Annum* for the fifteen Months, or proportionably for so many entire Months as shall remain unexpired; but not to be allowed any Discount after the End of fifteen Months, nor for a less Time than one Month. And if the Importer or Proprietor shall have given Security (which at his Election he may do in one or more Bonds) to pay the several Duties in eighteen Months, and shall desire to discharge his Bonds, or any Part thereof, in ready Money, sooner than fifteen Months, he shall be abated in the Bonds for such prompt Payment so much as the Discount shall amount to in Proportion to the Time; but not be allowed Discount after fifteen Months.

XXI. This Act shall not take away the eight Pounds *per Cent.* for Waste and Shrinkage, nor the five Pounds in the Hundred out of the several Subsidies and additional Duties.

XXII. From the 1st of June, 1714, for five Years, &c. the Importer of Tobacco, paying down the Subsidy of one Penny for a Pound-weight, payable by the Act of 12 Car. 2. and desiring to have the same put in Warehouses under the Queen's and the Merchant's Locks, for Security of the Remainder of the Duties, the Merchant or his Servants shall have free Access into such Warehouses at seasonable Times, and the Custom-house Officers shall attend without Fee; and the Commissioners or principal Officers of the Customs, may permit such Tobacco to be put into Warehouses, (to be provided at the Charge of the Merchant, and to be approved by the Commissioners) on the Merchant's giving his own Bond to pay the rest of the Duties at the End of fifteen Months; and if the Importer shall not in fifteen Months Time offer good Security to pay the Duties, at the End of eighteen Months, or by Debentures on Exportation, or Payment of the Duties, discharge his Obligations or any Part thereof, but that the same shall continue in the Warehouses, then the Commissioners, &c. may sell such Tobacco by Inch of Candle, on giving fourteen Days Notice to the Proprietor, and the Product shall be applied towards the Payment of the Customs and the Charges expended thereon, and the Overplus to the Proprietor.

XXIII. If the Tobacco (so put in Warehouses) shall be destroyed by Fire, the Proprietors shall be allowed the Duties paid, and the Bond shall be discharged.

XXIV. The Time of Importation of all Tobacco already imported and not entred, shall be reckoned from the 2d of *June*, 1714; and the Duties and Allowances shall be computed accordingly.

XXV. From the first of *August*, 1714, for five Years, &c. no Merchant shall have any Allowance for corrupt or unmerchantable Tobacco, but if he shall refuse to make Entry thereof, and to pay, or secure to pay the whole Duties, then he shall separate so much as he refuseth to pay Custom for, and the principal Officers of the Customs, or any two of them, shall cause such corrupt Tobacco to be weighed and burnt, &c. and no Duty shall be paid for it.

XXVI. The Owner of such damaged Tobacco shall have an Allowance of twenty-five Pounds Weight for every hundred Pound Weight of such Tobacco so separated to be destroyed, as a Compensation for Freight and other Charges, which Allowance shall be by Certificate, and the Officers are to make and pay such Certificate without Fee; the Tobacco in such Certificate shall not be placed to the Merchant's Export-Account, if the Allowance doth not exceed 150 Pound-weight for any Hoghead of *Orenoco* Tobacco, or 200 Pound-weight for any Hoghead of sweet-scented.

XXVII. This Allowance shall not hinder the Merchants having an Allowance for damaged Tobacco formerly, so as such Allowance doth not exceed 40 Pound-weight for any one Hoghead, which small Damages shall be viewed, and the Allowance made at the Scale.

XXVIII. After the first of *July*, 1714, the Commissioners of the Customs, in all Cases where Goods are brought into her Majesty's Storehouses for securing the Customs, &c. due thereon, shall as soon as conveniently they can, cause all Goods so brought in, and which shall have remained there twelve Months (the Duties not being paid, compounded for, or secured) to be publicly sold by Auction or Inch of Candle, and the Produce shall be applied to the Payment of the Freight, Primage and Charges of Warehouse Room, and other Charges which shall arise thereon, next the Customs and Duties, and the Overplus to be paid to the Proprietor, &c.

XXIX. The Barons of the Exchequer in *Scotland* shall cause the Debentures to be made forth and allowed to the Merchants, according to the Laws in Force before the 27th of *March*, 1710, for all Tobacco exported from thence, between the said 27th of *March* and the 16th of *April* following, any Thing in the Act & *Anna* notwithstanding.

XXX. Dept.

XXX. Deputations granted to Collectors and Surveyors, and other inferior Officers of the Customs, are declared to be in Force, notwithstanding the Death or Removal of the Commissioners who signed them, and until they shall be revoked by the Commissioners or any superior Authority.

Tolls.

I. *Westm.* 1. 31. 3 *E.* 1. If excessive Toll be taken in a Market-Town, where it is the King's Town, the Franchise shall be seised; but where it is another's, if it be done by the Lord's Consent, the Franchise shall be seised as before; but if done by a Bailiff, or other Officer, he shall restore as much more to the Plaintiff as was so taken, and suffer forty Days Imprisonment.

II. Citizens or Burgesses who have the King or his Father's Grant for Murage to inclose their Towns, if they take for Murage more than they ought to do by their Grant, and be thereof attainted, they shall lose their Grant, and be also grievously amerced to the King.

III. *Stat.* 18 *E.* 2. Ordinance of Bakers, how Toll shall be taken at a Mill.

Towns.

I. *Stat.* 27 *H.* 8. 1. A Remedy for Repair of decayed Houses and Buildings upon the waste Ground in Nottingham and Shrewsbury, Ludlow, Bridgnorth, Quinborough, Northampton and Gloucester. See the Statute at large.

II. *Stat.* 32 *H.* 8. 18. A Remedy for Repair of decayed Houses, and Building upon waste Ground in York, Lincoln, Canterbury, Coventry, Bath, Chichester, Salisbury, Winchester, Bristol, Scarborough, Hereford, Colchester, Rochester, Portsmouth, Pool, Linn, Faversham, Worcester, Stafford, Buckingham, Pomsfret, Grantham, Exeter, Ipswich, Southampton, Great Yarmouth, Oxford, Great Wiccombe, Gildford, Stratford, Kingston upon Hull, Newcastle upon Tyne, Beverly, Bedford, Leicester, Berwick. See the Statute at large.

III. *Stat.* 32 *H.* 8. 19. A like Statute for re-edifying of Shaftsbury, Sherborn, Bridport, Dorchester, Weymouth, Plimouth, Plimpton, Barnstable, Tavistock, Dartmouth, Lanceson, Liskard, Lestithiel, Bodmyn, Truro, Helstone, Bridgwater, Taunton, Somerton, Ilchester, Malden in Essex, and Warwick. See the Statute at large.

IV. Stat. 33 H. 8. 36. A like Statute for *Canterbury, Rochester, Stamford, Great Grimsby, Cambridge, Derby, Guilford, Dunwich, the Cinque Ports, with the Members, Lewes and Buckingham*. See the Statute at large.

V. Stat. 35 H. 8. 4. A like Statute for *Shrewsbury, Chester, Ludlow, Harverford-West, Pembroke, Derby, Carmarthen, Montgomery, Cardiff, Swansey, Cambridge, New-Radnor, Prestend, Brecknock, Monmouth, Malden in Essex, Abergawenny, Usk, Carliou, Newport in Monmouthshire, Lancaster, Preston, Liverpool and Wigan*. See the Statute at large.

VI. Stat. 1 & 2 P. & M. 7. None dwelling in the Country, out of a Corporation or Market-Town, shall sell or cause to be sold by Retail, any Woollen-cloth, Linen-cloth, Haberdashery-wares, Mercery-wares, in any such Corporation or Market-Town, or the Suburbs or Liberties thereof, (except in open Fairs) in pain to forfeit for every Time so offending 6 s. 8 d. and the whole Wares so sold, or offered to be sold; the one Moiety of which Forfeiture shall be to the King and Queen, and the other to the Seiser or Prosecutor.

VII. Howbeit any Person may sell such Wares in the said Places by Wholesale in Gross, and by Retail also, he being made free of the said Places, or it being Cloth of his own making that is sold.

VIII. The Liberties of the Universities are saved.

IX. Stat. 18 El. 21. It shall be lawful for any Person freely to buy and sell in *New Woodstock*, all Wools and Yarn brought thither upon the usual Markets or Fair-Days, and the same to use and employ to their best Profit, notwithstanding any Statute, Law or Usage to the contrary.

Trade and Commerce.

I. Stat. 15 Car. 2. cap. 7. When the Prices of Corn and Grain, *Winchester Measure*, exceed not these Rates at the Place where they shall be shipped, viz. the Quarter of Wheat 48 s. of Barley or Malt, 28 s. of Buck-wheat, 28 s. of Oats, 13 s. 4 d. of Rye, 32 s. of Pease and Beans, 32 s. they may be transported: And when they exceed not the said Rates at the Place where they shall be imported, there shall be paid for Custom of every Quarter of Wheat, 5 s. 4 d. of Rye, 4 s. of Barley or Malt, 3 s. 8 d. of Buck-wheat, 2 s. of Oats, 1 s. 4 d. of Pease and Beans, 4 s.

II. And

II. And when they exceed not the Prices at the Markets or Places where they shall be bought, all Persons not forestalling nor selling them in the same Market, within three Months after buying them, may buy and lay them up to sell again without incurring any Penalty.

III. No Commodity of the Growth or Manufacture of *Europe*, shall be imported into any of the King's Plantations which are or shall be in *Asia*, *Africa* or *America*, (*Tangier* excepted) but what shall have been shipped in *England*, *Wales*, or Town of *Berwick*, and in *English* built Shipping, or bought before the first of *October*, 1662, and having such Certificate as is directed in 14 *Car. 2. cap. 11.* (*Vide supra* Title *Tustoms*, *Sec. XLVIII.* & Title *Shipping*, *Sec. LXXII.*) and whereof the Master and three Fourths of the Mariners are *English*, and carried directly thence to the said Plantations, on Pain to lose the same, and if imported by Water, the Vessel also; one Third to the King, the other to the Governor of such Plantation, if there seised or sued for; else that Third to the King also; the other Third to him that will seise or sue for the same in any of the King's Courts in such Plantations, or any Court of Record in *England*.

IV. But it shall be lawful to lade in such Ships so navigated in any Part of *Europe*, Salt for the Fishers of *New England* and *Newfoundland*, and in the *Maderas* and *Azores*, Wines of the Growth of the said Islands: And in *Scotland* or *Ireland* to take in Servants or Horses, and all Victuals of the Growth or Production of the said Places, to transport them to the said Plantations.

V. They that import by Land any Goods into the said Plantations, shall deliver to the Governor of such Place, or Officer by him appointed, within twenty-four Hours after such Importation their Names and Surnames, with a true Inventory of such Goods: And no Vessel coming to any such Plantation shall lade or unlade till the Master have made known, as aforesaid, the Arrival of the Vessel, her Name, his own Name and Surname, and have shewn that she is an *English* built Ship, and navigated, as aforesaid, or produce such Certificate, and have delivered an Inventory of her Lading, with the Places where her Goods were taken in, on Pain to lose the Ship and Goods of the Growth or Manufacture of *Europe* not taken in in *England*, *Wales*, or Town of *Berwick*, to be recovered and divided, *ut supra*. Governors of such Plantations before Entrance upon their Charge, shall take an Oath before such as the King shall appoint, to do their Utmost to cause this Act to be observed, on Pain of being removed; and if having taken such Oath, they offend contrary to this Act, they shall be turned out, and be incapable of the Government of any Plantation, and forfeit 1000 *l.* one Half to the King, the other Half to him that will sue for the same in any the King's Courts there, or Courts of Record in *England*.

VI. Officers of the Customs that give Warrant for or suffer Sugar, Tobacco, Ginger, Cotton-Wool, Indico, Speckle-wood or *Jamaica* Wood, Eustick, or other dying Wood of the Growth of any of the said Plantations, to be carried into any other Country, till they have been put on Shoar in some Port, &c. in *England, Wales,* or Town of *Berwick*, shall lose their Place and the Value of such Goods; one Half to the King, the other to the Informer.

VII. Sea-Coal may be shipped for any Part of them out of *England, Wales,* or Town of *Berwick*, in such Shipping, and navigated, as aforesaid, paying for the Chalder, *Newcastle* Measure, 1 s. 8 d. and for the Chalder, *London* Measure, 1 s. in full of Custom and Poundage. But Security must be given to the Officers of the Customs for landing them in the said Plantations.

XIII. Foreign Coin or Bullion may be exported, making Entry thereof in the Custom-house of the Port, &c. out of which, &c. without paying any Duty.

IX. For every Head of great Cattle, except of the Breed of *Scotland*, imported after the first of *July*, and before the 20th of *December* in any Year, and every Head of the Breed of *Scotland*, imported after the 24th of *August* and before the 20th of *December* in any Year, there shall be paid to the King 20 s. and 10 s. to him that will inform or seize, and 10 s. to the Poor of the Parish where such Seizure or Information shall be made; and 10 s. to the King for every Sheep imported between the first of *August*, and 20th of *December* in any Year. This Act, as far as it concerns great Cattle or Sheep, to continue but to the End of the first Session of the next Parliament.

X. No fresh Herring, fresh Cod or Haddock, Coal-fish or Gull-fish shall be imported but in Vessels *English* built, or having such Certificate, and navigated, as aforesaid, and which hath been caught in such Vessels, on Pain to forfeit such Fish, and the Vessel in which it is imported; one Moiety to the King, the other to him that will sue or seize.

XI. For the following Kinds of salted or dried Fish imported or caught in other Vessels than as aforesaid, shall be paid by way of Impost these Sums; viz. for Cod-fish, the Barrel, 5 s. the Last containing 12 Barrels, 3 l. the Hundred containing six Score, 10 s. for Coal-fish, the Hundred containing six Score, 5 s. for Lings, the Hundred containing six Score, 1 l. for White Herring, the Last containing twelve Barrels, 1 l. 16 s. for Haddock, the Barrel, 2 s. for Gull-fish the Barrel, 2 s.

XII. Cattle of the Breed of the *Ile of Man* may be imported, not exceeding 600 in one Year, and Corn of the Growth of that Island; so the Cattle be landed at *Chester, Liverpool* or *Wirre-water*.

XIII. Stat. 22 Car. 2. cap. 13. All Persons may transport all Sort of Corn and Grain, though the Prices thereof exceed the Rates set down in the Act of 15 Car. 2. cap. 7. paying such Rates as are to be paid when the same might have been transported by 12 Car. 2. cap. 4.

XIV. When the Prices of Corn and Grain at the Times and Places when and where they shall be imported, exceed not the Rates following, there shall be paid for the Custom and Poundage thereof as followeth, viz. sixteen Shillings for a Quarter of Wheat, not exceeding the Price of 53 s. and 4 d. and 8 s. when it does exceed that Price, and is not above 4 l. the Quarter; and 16 s. for a Quarter of Rye, not exceeding the Price of 40 s. and 16 s. for a Quarter of Barley or Malt, not exceeding the Price of 32 s. and 16 s. for a Quarter of Buck-wheat, not exceeding the Price of 32 s. and 5 s. 4 d. for a Quarter of Oats, not exceeding the Price of 16 s. and 16 s. for a Quarter of Pease or Beans, not exceeding the Sum of 40 s. each Quarter to contain eight Bushels, and each Bushel eight Gallons.

XV. But when the Prices exceed these Rates, there shall be answered the Duties payable before this Act.

XVI. There shall be paid for the Custom of a Hundred-weight of French or Pearl Barley, 5 s.

XVII. Continued per Stat. 2 W. & W. cap. 4.

XVIII. Continued by Stat. 6 W. & M. cap. 13.

XIX. Continued by Stat. 8 & 9 W. 3. till the first Day of August, 1706.

XX. Continued by 1 Ann. cap. 13. till 1 Aug. 1710. Continued by 5 Ann. cap. 27. till 1 Aug. 1712.

XXI. Stat. 25 Car. 2. cap. 7. All the King's Subjects of England, Wales, and Town of Berwick, and other Persons residing here, may trade to and from Greenland and those Seas, to take Whales, and other Fish, and import all Sorts of Oil, Blubber, and Fins thereof, and exercise all other Trade to and from those Parts.

XXII. Any Persons, Natives or Foreigners, may import Train-Oil or Blubber of Greenland and other Parts adjacent, or of Newfoundland, or any other the King's Plantations, made of any Creature living in the Seas, and Whale-fins caught in Vessels belonging to England, Wales, or Town of Berwick, and imported in any such Ships, without paying any Duty; and for the Ton of such Oil taken by Shipping belonging to any of the King's Plantations, and imported in such Shipping, there shall be paid 6 s. and for every Ton of Whale-fins taken and imported in such Shipping, 50 s. and for the Ton of such Oil taken by the said Shipping, but imported in Shipping belonging to England, Wales, or Town of Berwick, 3 s. and for every Ton of Whale-fins taken and imported in such Shipping, 25 s. and for the Ton
of

of such Oil and Blubber of Foreign Fishing, 9 *l.* and for every Tun of Whale-fins, 18 *l.* and no more.

XXIII. Any Vessel belonging to *England, Wales*, or the Town of *Berwick*, and whereof the Master shall be an *English* Man, and inhabiting in the Places aforesaid, after the first of *May*, 1673, and until the 25th of *March*, 1683, employed for catching Whales, during such Voyage may be navigated with one Moiety of the Harpineers, and the one Moiety of the rest of the Mariners only *English*, and yet shall pay no other Custom for the Oil, Blubber and Fins caught and imported, than if it had been navigated with three Fourths of the Mariners *English*.

XXIV. May be navigated with one third *English* by Statute 4 & 5 *W. & M. Sess. 4. cap. 17. Sess. 27.*

XXV. No Vessel belonging to *England, Wales*, or Town of *Berwick*, shall enjoy any Benefit by this Act, unless she did proceed on her Voyage from *England*, &c. and was victualled in some of those Places, to be attested by the Collector of the Port where she was victualled.

XXVI. If any Vessel shall come to any of the King's Plantations, to ship any Sugar, Tobacco, Cotton-Wool, Indico, Ginger, Fustick, or other dying Wood of their Growth, and Bond shall not be first given with one Surety to bring the same to *England, Wales*, or the Town of *Berwick*, there shall be answered to the King these Duties following, *viz.* for Sugar white, the Hundred weight, containing 112 *l.* 5 *s.* and brown Sugar and Mascavadoes, the Hundred-weight, containing, *ut supra*, 1 *s.* 6 *d.* for Tobacco the Pound 1 *d.* for Cotton-Wool the Pound one Half-penny, for Indico the Pound 2 *d.* for Ginger the Hundred-weight, containing 112 *l.* 1 *s.* for Logwood, the like Weight, 5 *l.* for Fustick, and all other dying Wood, the like Weight, 6 *d.* and for every Pound of Cocoa Nuts, 1 *d.* to be paid where and to whom shall be appointed in the said Plantations before Landing thereof; and under such Penalties to Officers, and upon Goods, as for Nonpayment or defrauding the King of his Customs in *England*.

XXVII. The several Duties hereby imposed shall be caused to be levied by the Commissioners of the Customs in *England*, under the Authority and Directions of the Lord Treasurer or Commissioners of the Treasury.

XXVIII. If any shall not have Monies to pay the Duties aforesaid, the Collectors may accept such a Proportion of the Commodities as shall amount to the Value thereof.

XXIX. All Persons, Natives or Foreigners, may trade to and from *Sweden, Denmark* and *Norway*.

XXX. Any Subject of this Realm may be admitted into the Fellowship of the *Eastland* Merchants, paying for his Admission, 40 *s.*

XXXI. Con-

XXXI. Continued by *Stat. 2 W. & M. cap. 4.*

XXXII. Continued by *Stat. 6 W. & M. cap. 1. Sess. 3.*

XXXIII. Continued by *Stat. 8 & 9 W. 3. till 1 Aug. 1706.*

XXXIV. Continued by 1 *Ann. cap. 13. till 1 Aug. 1710.* Continued per 5 *Ann. cap. 27. till 1 Aug. 1712.*

XXXV. *Stat. 1 Jac. 2. cap. 19.* For ascertaining the Prices of *English Corn* at the Times and Places, when and where Foreign Corn shall be imported, (*vid. Stat. 22 Car. 2. cap. 13. Sup. Sess. XIII, XIV, XV, XVI.*) be it enacted, That after *Michaelmas* next it shall be lawful for the Justices of Peace for the several Counties, wherein Foreign Corn or Grain shall be imported; and they are hereby required at their next Quarter Sessions, after *Michaelmas* and *Easter-day* yearly, by the Oaths of two or more Persons of the respective Counties, being no wife concerned in the importing of Corn, and each having 20 *l. per Annum* Freehold, or a Leasehold of 50 *l. per Annum*; and being skilful in the Prices of Corn, and by such other Means as to them shall seem fit, to determine the Market-price of middling *English Corn*, and to certify the same with two such Oaths, to the chief Officer of the Customs residing in the respective Ports, whete, &c. to be hung up in some publick Place in the Custom-house.

XXXVI. And the Duty of Foreign Corn imported, shall be paid according to the Prices contained in such Certificate.

XXXVII. All that by this Act is appointed to be done by the Justices at their Quarter-Sessions, shall be done in *London* in *October* and *April*, by the Mayor, Aldermen, and Justices of Peace there; and the Persons making such Oath shall be such as are not concerned in the said Corn imported, but shall be substantial House-keepers in *Middlesex* or *Surrey*.

XXXVIII. Continued by *Stat. 2 W. & M. cap. 4.*

XXXIX. Continued by 6 *W. & M. cap. 1 Sess. 3.*

XL. Continued by *Stat. 8 & 9 W. 3. till 1 Aug. 1706.*

XLI. Continued by 1 *Ann. cap. 13 till 1 Aug. 1710.* Continued per 5 *Ann. cap. 27. till 1 Aug. 1712.*

XLII. *Stat. 1 W. & M. Sess. 1. cap. 34.* From the 24th Day of *August*, 1689. No Goods or Commodities of the Product or Manufacture of the Dominions of the *French King*, or made or mixt with any such Goods or Commodities, shall, during three Years, or before the End of the first Session of Parliament after such three Years expired, be imported into *England*, *Ireland*, *Wales*, *Berwick*, or the Isles of *Jersey*, *Guernsey*, *Alderney*, *Sark*, or the Isle of *Man*; and all Importations, vending or uttering of any *French* or other Commodities, contrary to this Act, are hereby declared to be a common Nuisance; and the Commodities so imported may be seized by any Person, and carried into her Majesties Warehouse of the Port or Place where they are seized,

or to the Warehouse of the next Port, Member or Creek to the Place of Seizure; and Persons claiming the same, shall tender good Security to answer the Penalties of this Act, and to make their Claim within twenty Days after Seizure, to the Collector or Customer, or his Deputy, where there is no other Collector established, or to the Commissioners of the Customs in Time of Vacation, or within ten Days in Term-time by Delivery of a Bill to such Officer, subscribed with his Name, Addition, and Place of Abode, with the Particulars of the Goods claimed, and the Date of the Claim, and the Names of the Sureties, they being worth five hundred Pounds apiece at least, and to give Bond to their Majesties in double the Value of the Goods, and the Penalties in this Act, to answer the Value of the said Goods and other the said Penalties; and after such Security given the Claim and Sureties Names, and the Sum and Date of the Bonds to be registred and subscribed by the Claimer, Collector or Customer, to whom such Bill shall be delivered; and for want of giving Security, and making Claim, as aforesaid, the Goods shall be adjudged to be imported contrary to this Act, and be forfeited, and within seven Days after such Default, shall be destroyed, as hereafter is appointed; but if such Security be given, and Claim made, as aforesaid, an Information shall the next Term or sooner be exhibited in the Exchequer; and no Writ of Delivery or Restitution shall be granted, till the Cause be determined by the Verdict of a Jury, to be returned by the proper Officers in the Presence of a Commissioner of the Customs in *London*, and of the principal Officer in any Out-port, which Jury upon the Taste or View of the Goods, or upon Proof, shall judge the Quality and Value thereof, and whether imported contrary to this Act, and in what Vessels imported, and by whom imported or sold, and in whose Custody they were when seized; and if the Jury shall find that they were of the Product or Manufacture of the *French King's* Dominions, or mixt with any such Goods of such Product or Manufacture, then all such liquid Commodities shall be adjudged to be staved and spilt, and other Commodities to be publickly burnt in the Presence of one of the Sheriffs of *London*, in the Port of *London*, and of the chief Magistrate in any other Port, who are required to be present and assisting in the Destruction thereof, and to view, taste and examine them according to the first Entry made in the Warehouse-Book, and to join with the Collector, &c. who are also required to be present at the Destruction thereof, in a Certificate to be entred in the said Book, of the Day of the Destruction thereof; no Persons to take away or save any of the said Commodities, on Pain to forfeit forty Shillings above the Value of the said Goods.

XLIII. Importers thereof shall forfeit the full Value, according to the Rates hereafter mentioned; and Persons in whose Custody they shall be found, when seized, or who shall sell or retail them, shall for the first Offence forfeit the Value thereof, as aforesaid; and for the second Offence double the Value, and be disabled to bear or execute any Office or Employment relating to the Customs, or any Part of the Revenue, or any other Office whatsoever; and if any such Commodities, imported contrary to this Act, shall within the Time aforesaid, upon any Pretence, be sold, retailed or uttered, or be found within *England, Ireland, &c.* any Persons may seize them, and like Information and Judgment for Destruction thereof, shall be had and given as aforesaid,

XLIV. They in whose Custody such Goods shall be found, shall incur the Forfeitures and Penalties aforesaid; and if any Dispute or Doubt shall arise whether the said Goods were of the Product or Manufacture of the *French King's* Dominions, or imported contrary to this Act, the Proof shall lie on the Importer, Claimer, Vender, &c. and not on the Informer; and if any Informer shall by Fraud or Collusion desist or delay Prosecution, he shall forfeit 500 *l.* All Officers belonging to the Customs, and all Sheriffs, Mayors, Bailiffs, Constables, and other Officers, are required to be aiding in the Execution of this Act: No Officer whatsoever relating to the Customs, shall sign, suffer or allow any Warrant or Order for delivering of any Goods prohibited by this Act, to any Person, or into any Place, other than into one of their Majesties Warehouses, there to remain till Judgment pass according to this Act; nor shall any Person whatsoever relating to the Customs, by Virtue or Colour of any Warrant or Order, take up or deliver any the said Goods, or suffer them to be carried to any other Place than one of the King's Warehouses, there to remain as aforesaid; and such Goods brought into the King's Warehouses, shall be forthwith viewed in the Presence of two or more principal Officers of that Port, whereof the Collector, Customer, or Customer's Deputy to be one, and the Marks and Numbers of each Vessel or Package, and the Quality and Quantity of the said Goods, and the Time when brought in, and of their Delivery out of the said Warehouses, shall by special Direction of the Commissioners, or other chief Officers of the Customs, be registred in a Book to be kept for that Purpose, and for Entry of Claims; which Examination shall be repeated and entred, as aforesaid, after Condemnation, at the Delivery of them out to be destroyed, and compared with the first Entry, to prevent Fraud or Imbezilment; and if any such be found, the same to be entred and subscribed in the said Book, by the principal Officer of the Port, not having Charge of the Warehouse; and Copies of the Entries, Examinations and Claims, and a true Certificate of the Destruction of the said Goods shall

shall be transmitted to the Commissioners of the Customs, with monthly Abstracts of the said Ports, of which a distinct Account shall be kept by the Officers of the Seizures in the Port of *London*.

XLV. Such Goods shall not be delivered out of any the said Warehouses, till a Judgment or Condemnation have passed upon them, otherwise than to be produced at a Trial to be had touching the unlawful importing the same, or for the Recovery of any Penalty incurred thereby.

XLVI. If any Person, not being a known Merchant, Vintner or Shopkeeper, shall after the first Day of *September*, 1689, sell or expose to Sale any of the Commodities hereby prohibited, they shall, over and above the Penalties aforesaid, suffer twelve Months Imprisonment.

XLVII. Vessels with all their Guns and Furniture, in which any such Commodities, shall after the 24th Day of *August* be imported; and every Bark, Lighter, or other Vessel, out of which they shall be put on Shore, shall be forfeited, and the Master or other Person taking care of such Vessel for the Voyage, or out of which any of the said Commodities shall be unshipt into any Hoy, &c. to be put on Shore, shall forfeit 500 *l.* and also being apprehended by a Justice of Peace's Warrant, and the Fact proved before one or more Justices by Oath of two Witnesses, shall be committed to the next Gaol for twelve Months; and Seamen, Watermen, Carmen, and other Persons assisting in the landing or conveying any of the said Commodities by Land or Water, shall upon Examination and Proof, as aforesaid, be subject to like Imprisonment, or be publicly whipt at the Justices Discretion; and the Carts, Teams, Carriages, Horses and Oxen, made Use of in such Carriages or Conveyance, may be seiz'd and stay'd, and upon Proof before a Justice of Peace, by the Oaths of two Witnesses, that they were made Use of in moving or conveying any Goods hereby prohibited to be imported, they shall be forfeited, the one Half to the Use of the Poor of the Parish, the other to his Use that shall seize the same; and if the Master or other Person belonging to any Vessel laden or part-laden, with any the said Commodities, shall, after the said 24th of *August*, unship, or wittingly suffer to be unshipt any the said prohibited Goods, either at Sea, or in any Harbour, Creek or Bay of the Kingdom aforesaid, he shall forfeit 500 *l.* and suffer Imprisonment, as aforesaid.

XLVIII. No Brandy, *Aqua vita*, Spirits or distilled Waters, of any Place whatsoever, shall, after the said 24th Day of *August*, be imported into *England* or *Ireland*, or any the said Islands, on Pain to forfeit the same, and the Ship or Vessel in which it shall be imported.

XLIX. The Values and Prices of the said Goods shall be reckoned as followeth, viz. a Ton of Wines, 30 *l.* a Ton of Brandy, 40 *l.* and so proportionably: Other Commodities aforesaid, that
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are valued in the Book of Rates, shall be esteemed according to their Value there; and the Prices of Commodities not rated there, shall be determined by the Jury that shall try the Cause, or shall be impanelled to enquire whether the Goods were of the Product or Manufacture of the *French King's Dominions*; and in case of Condemnation by Default, the Value to be determined by a Jury returned before the Mayor or Bailiff of the City or Town-Corporate, or before the next Justice of Peace where the Goods shall be brought.

L. Persons prosecuting shall be rewarded with one third Part of the Goods prosecuted to Condemnation and Destruction, to be paid unto them by the Owners.

LI. And the Residue of the Forfeitures and Penalties before-mentioned, and not before disposed of, shall be divided into three Parts, two Thirds to their Majesties, and one Third to such as shall seize or sue for the same; the Charge of such Prosecution to be born by their Majesties, and issued by the Receiver-General of the Customs, by Warrant from the Commissioners.

LII. No Foreigner or other Person shall be admitted to claim any of the said Goods, till Security given to the Satisfaction of the Collector, to answer to such Penalties as shall be incurred by him as the Importer, or which the Owner, Importer or Possessor thereof is, shall; or may be liable to by this Act.

LIII. If any Person belonging to the Customs shall connive at the Importation of any the said Commodities, he shall not only forfeit 500 *l.* to be recovered as aforesaid, but be made incapable of any Office or Employment under their Majesties, and forfeit the Penalties of their Bonds for true Performance of their Trust.

LIV. Any Persons by Writ of Assistance under the Seal of the Exchequer, may take a Constable, or other publick Officer, and in the Day-time enter into any House, Shop, Cellar, Warehouse, &c. and in case of Resistance, may break open Doors, Trunks, or other Package, to seize and bring to their Majesties Warehouse any of the said Commodities.

LV. The Attorney-General and other Persons seizing and prosecuting, as aforesaid, may use such Method and Course of Proceeding, as may be used about the seizing, trying and prosecuting any Goods or Commodities for Nonpayment of Customs or other Duties, or any Persons for offending against the Laws relating to Customs; and Persons prosecuted for any Thing done about the putting this Act in Execution, may plead the General Issue, &c. and if the Plaintiff discontinue or delay Prosecution, or become nonsuit, or a Verdict or Judgment pass against him, the Defendants shall recover their treble Costs.

LVI. After the first Day of *September*, 1690, none of the Commodities hereby prohibited, shall be imported from *Guernsey, Jersey, Alderney, Sark, or Man*, into *England, Ireland, Wales or Berwick*,

Berwick, under the Penalties and Forfeitures contained in this Act.

LVII. None shall sell at, or demand a greater Price for any *French Wines*, or so reputed, or other Wines mixt with *French Wines*, after the 10th Day of *September*, 1689, to the 10th Day of *September*, 1690, then twelve Pence by the Quart, and after the 10th Day of *September*, 1690, six Pence by the Quart, and no more, upon Pain to forfeit for every Quart five Pounds for the first Offence, to the Informer, and ten Pounds for the second, and every other Offence, to be recovered by Action of Debt, Bill, Plaint or Information, &c.

LVIII. After the 10th of *September*, 1689, no Retailer of Wines shall utter them other than in Measures made of Pewter, and sealed according to the Statute, on Pain to forfeit five Pounds for every such Offence, to the Informer, to be recovered as aforesaid.

LIX. If any Merchant, Vintner, Wine-cooper, or other Persons selling Wines by Wholesale or Retail, shall corrupt or adulterate any Wine, or shall utter any Wine corrupted or adulterated, they shall forfeit 300 l. for every such Offence, the one Moiety to their Majesties, and the other to him that will sue for the same, by Action of Debt, Bill, Plaint or Information, &c. and shall suffer three Months Imprisonment.

LX. Stat. 2 W. & M. Sess. 2. cap. 14. If any Officer of the Customs or Prizes, shall knowingly suffer any Goods or Manufactures imported as Prizes or otherwise, contrary to an Act made in the first Year of their Majesties Reign, intituled, *An Act for prohibiting all Trade and Commerce with France*, to be admitted to an Entry, or to be imbezilled and not staved, spilt, burnt or destroyed, as the said Act directs, he shall forfeit 500 l. one Moiety to their Majesties, the other to the Informer, and shall be incapable of executing any Office in their Majesties Revenue.

LXI. If any Persons after the first Day of *February*, 1690, shall utter by Retail by Glass-Bottles, or by any other Retail Measure, not made of Pewter, and sealed according to Law, any Wines or other Liquor, or shall sell the same for a greater Price than by the said Act is appointed, and shall be convicted by Confession, or the Oath of two Witnesses before a Justice of Peace, being prosecuted within thirty Days after the Offence committed, they shall forfeit fifty Shillings for every such Offence, which, if not paid upon Demand, shall be levied by Distress and Sale of Goods, by such Justice's Warrant to the Constable, Headborough, &c. the Money so levied to be given to the Informer; and for want of a Distress, the Offender to be committed to the Common Gaol till Payment of the Penalty, and all necessary

Costs to be taxed by the Justice or Justices before whom the Conviction was.

LXII. Offenders punished by Virtue of this Act, shall not incur the Penalty of any former Law for the same Offence; and no Writs of *Certiorari* shall supersede or remove any Proceedings by Virtue of this Act.

LXIII. Persons resisting, abusing, beating or wounding any Officer, Informer, or other Person empowered hereby, or such as shall act in their Aid, shall by the next Justice of Peace, or other Magistrate, be committed to Prison till the next Quarter-Sessions, where they shall be punished by Fine, not exceeding five Pounds, and the Offender to remain in Prison till he be discharged of his Fine and Imprisonment by Order of Justices, or any two of them.

LXIV. Stat. 4 & 5 W. & M. cap. 17. A joint Stock of 40000*l* at least shall be raised by Subscriptions by

Sir William Scawen, Knt.

Henry Bertie,

Robert Hookes,

John Skinner,

George Boddington,

Francis Gosfricht,

Edmond Prideaux,

Edmond Harrison,

John Jurin,

Edward Buckley,

Benjamin Steele,

Mordecai Abbot,

Robert Michell,

John Gunston,

John Knapp,

Thomas Skinner,

William Broughton,

Robert Briflow,

Robert Hackshaw,

John Bridges,

John Boddington,

Peter Parsival,

Thomas Phipps,

Charles Mitchell,

Samuel Howard,

Samuel Nash,

Benjamin Smith,

Nicholas Cutler,

Thomas Chambers,

Peter Gray,

James Ball,

Thomas Kett,

Humphry Simpson,

Richard Munford,

John Plumbs,

Richard Cook,

Peter Godfrey,

Ambrose Bray,

Augustine Munford,

Josiah Ordway,

Joseph Pacie, and

Thomas Gunston;

on or before the first Day of May next, and shall be paid to the Use of the Company established by this Act.

LXV. And be it enacted, That the said Sir W. S. H. B. and the rest of the Persons aforementioned, and all and every other Person and Persons, Subjects born or naturalized, or endenized, who shall have any Share in the said joint Stock shall be incorporated by the Name of *The Company of Merchants of London, trading to Greenland*, and have a Common Seal, and Ability to purchase

Lands and Tenements in Succession, so as the same exceed not the yearly Value of 100 *l.* and to do and execute all Matters and Things which any other Body Corporate may lawfully do or execute.

LXVI. The said Company, during the Continuance of the said joint Stock, shall freely use the Trade and Merchandize of catching Whales in, to and from *Greenland*, and the *Greenland* Seas, and in all Seas and Places whatsoever, except in the Seas belonging to their Majesties Colonies and Plantations in *America*, without Interruption or Disturbance; any Law, Statute, or other Thing to the contrary notwithstanding.

LXVII. A Governor, Deputy-Governor, and sixteen Committees shall be elected as followeth, who shall have the Management and Direction of the said Trade.

LXVIII. A Book for Subscriptions shall be provided within ten Days after the passing of this Act by the first five of the said Persons, or any one of them, in which shall be subscribed on or before the first Day of *May* next, by the Persons above-named, or the Survivors of them, the said joint Stock, which shall not be less than 40000 *l.* no Subscriber to subscribe less than 500 *l.* nor more than 2000 *l.*

LXIX. All Persons subscribing, shall, on or before the said first Day of *May*, pay down to such as the Persons before-named, or the major Part of them shall appoint, one fourth Part of the Sums they subscribe, and the Remainder at such Times, and in such Manner as shall be appointed by the Governor or Deputy-Governor, and Court of Committees, so as the whole Sum subscribed be paid within four Years after the said first Day of *May*.

LXX. Defaulters in Payment, shall after such Default, have no other Advantage by such Subscription, than in Proportion to such Sums as they shall have actually paid; and further, shall forfeit to the Use of the Adventurers in the said joint Stock ten Pounds for every hundred Pounds of such Sum as they shall omit to pay in, to be deducted out of the Money by them paid in.

LXXI. Before the 25th Day of *May* next any thirteen of the said Persons before-named shall call a Court of all the Subscribers, and others, who shall then have any Share in the said joint Stock, who shall meet and choose one fit Person, having subscribed 1000 *l.* or upwards, and paid in one fourth Part thereof, to be the Governor; and another Person so qualified to be Deputy-Governor; and sixteen others having subscribed each 500 *l.* or upwards, and paid in a fourth Part, to be Committees; the said Governor, Deputy-Governor and Committees to continue in the Office till the 20th of *October*, 1694.

LXXII. Every Governor and Deputy-Governor, before they be admitted to the Execution of their Offices, shall take this Oath, *viz.*

YOU swear that you shall assist, and with all your Power support and maintain the Company of Merchants of London, trading to Greenland, and the Privileges of the same, having no Respect to your self, in Derogation, Hindrance or Prejudice of the good Government, Order, and Common-weal thereof: The By-Laws and Ordinances which shall be made by Authority of this Company, and which are not repugnant to the Laws of this Kingdom, you shall uprightly and duly execute according to your Knowledge thereof; and to every Person you shall minister upright Justice; and you shall not engage or oblige the said Company in any wise, as Governor or Deputy-Governor of the said Company, without Agreement and Consent of the Court and Committees of the said Company.

So help you Almighty God.

LXXIII. And every one of the sixteen Committees shall take this Oath, viz:

YOU shall swear to be faithful and true, during the Time of your Place of Trust, as one of the Committees to the Company of Merchants in London, trading to Greenland, and their Successors; the good Estate of the Adventurers in this present Joint-Stock you shall favour and affect, and the Privileges granted unto them (to your Power) endeavour to maintain and preserve: You shall be careful to see and provide that an equal and indifferent Hand be carried in the Government of the Company, and in the Affairs thereof, to all the Adventurers that shall adventure or put in Stock; and that an equal Division from Time to Time be made to all the Adventurers, according to the Proportion of their several Stocks duly paid in.

So help you God.

LXXIV. No Persons who shall subscribe, or have less in the Stock than 500 *l.* shall have any Voice at a General Court of the Company; every Person subscribing, or having 500 *l.* in the Stock, shall have one Vote; and such as subscribe, or have 1000 *l.* shall have two Votes, and no more, though they subscribe more than 1000 *l.*

LXXV. All Persons subscribing or paying in any Money, shall be admitted into the Freedom of the Company gratis, and shall take this Oath before the Governor or Deputy-Governor, or any five of the Committees, viz.

YOU shall swear, That you will assist, and with all your Power, support and maintain the Company of Merchants of London, trading to Greenland: The By-Laws and Ordinances which shall be made by Authority of this Company, which are not repugnant to the Laws of this Kingdom, you shall, according to your Knowledge thereof, uprightly and duly keep and obey.

So help you God.

LXXVI. The

LXXVI. The Governor or Deputy-Governor, or any five of the Committees for the Time being, shall before the said 20th Day of *October*, 1694, between the first Day, and the 20th Day of the said Month, and so annually, call a General Court of all the Members of the said Company, who shall have subscribed 500 *l.* and paid in according to the Directions of this Act, and shall have taken the Oath of Admission to elect a Governor, Deputy-Governor, and sixteen Committees for one Year next ensuing; and if any of them happen to die within the Year, the Governor or Deputy-Governor, or five of the Committees, may call a General Court to choose another in his Place during the Remainder of the Year.

LXXVII. The Governors, Deputy-Governors and Committees, shall also take the Oaths appointed to be taken in Lieu of the Oaths of Supremacy and Allegiance, by an Act in the first Year of their Majesties Reign: The first Governor to take the said Oaths hereby appointed to be taken by the Governor, before the Persons above-named, or nine of them; the first Deputy-Governor to take his Oaths before the first Governor; and the first sixteen Committees to take theirs before the first Governor, or the first Deputy-Governor; and every succeeding Governor shall take the said Oaths before the last preceding Governor, or any five or more of the last preceding Committees; and every succeeding Deputy-Governor before the Governor, or in case of his Death and Absence, before any five of the last preceding Committees; and every Member of the succeeding Committees, before the Governor or Deputy-Governor for the Time being, or any five or more of the last preceding Committees.

LXXVIII. After the said 20th Day of *May* next, the said General Courts shall be summoned by the Governor or Deputy-Governor, or five of the Committees; at all which Courts, the Governor, or in his Absence, the Deputy-Governor, shall be present, and in case of Equality of Votes, shall have a casting Vote.

LXXIX. All Members having the Sum of 500 *l.* in the said Stock, or having subscribed 500 *l.* and paid in according to the Directions of this Act, may assemble themselves at a General Court, timely Notice being given, and make By-Laws, as to them, or the greater Part of them shall seem meet, for the good Government of the said Company, and of all Persons employed in their Ships and Voyages, and for the Preservation and Improvement of the said Trade; which By-Laws shall be duly kept and observed, under the Pains and Penalties therein limited, so as they be not contrary to the Laws and Customs of the Realm, nor to any Regulations made by this Act.

LXXX. No private Contract for the Sale of any Goods, shall be made by the said Company to any Member thereof; but all Goods belonging to the Company, shall be sold publicly by Inch of Candle, once a Year at the least; of which Sales publick Notice

rice shall be given three Weeks before on the *Royal Exchange*, and no Lot shall be exposed to Sale of more than 300 *l.* Value in the Allotment; and Monies arising by the Sale of the said Company's Goods, shall be applied to the Advantage of the joint Stock, and of the Persons therein concerned, according to their Proportions therein, and not to the private Advantage of any particular Person.

LXXXI. Dividends of the Profits to be made in Money only.

LXXXII. Persons interested may transfer their Shares to Subjects born, Persons naturalized or denizenized; such Assignments to be entred into the Books of the Company; which Books for assigning shall lie open for the View of all Persons concerned: All other Assignments to be void, except Devises by Will, or where Part of the Stock shall come to a Person as Executor or Administrator.

LXXXIII. No Persons shall agree for, bargain or sell any greater Part of the said Stock, than such Sum only as they shall be possessed of *bona fide*, and have standing in their own Names in the Company's Books.

LXXXIV. All Agreements, Contracts, Bargains or Sales for any Part of the said Stock, not executed within ten Days after such Agreement, &c. shall be void.

LXXXV. Vessels employed by the said Company for catching of Whales, and truly belonging to *England, Wales* or *Berwick*, whereof the Masters shall be *Englishmen*, and inhabiting within the said Places, until the first of *October*, 1697, if navigated during their Voyages with one Third of *English* Mariners at the least, shall pay no other Custom for Oil, Blubber or Fins imported, than if they had been navigated with three Fourths of Mariners *English*; provided such Vessels proceed on their Voyage from *England, Wales* or *Berwick*, and were victualled for the same in some of those Places, to be attested by the Collectors of the Ports where they were victualled.

LXXXVI. The said joint Stock to continue, and the said Company to have and enjoy the said Trade from the first Day of *October*, 1693, for fourteen Years and no longer.

LXXXVII. This Act declared to be a publick Act, and that it shall be taken Notice of in their Majesties Courts accordingly.
Altered per 1 Ann. cap. 16. Vide post 339.

LXXXVIII. Stat. 4 & 5 *W. & M. cap. 25.* An Act made in the first Year of their Majesties Reign, intituled, *An Act for prohibiting all Trade and Commerce with France*; and another Act made in the second Year of their Reign, intituled, *An Act for the more effectual putting in Execution an Act, intituled, An Act for prohibiting all Trade and Commerce with France*, shall continue in force during three Years from the End of this Session of Parliament, and from the Expiration of those three Years to the End of the next Session of Parliament, if this War with *France* shall so long last.

LXXXIX. All Vessels with their Ladings, and all Goods and Merchandizes that shall be taken or seized as Prize, shall be brought into some Port of this Kingdom, and before breaking of Bulk, put into the Possession of the Commissioners for Prizes, their Officers or Agents, who, with two or more such Persons, as the Officers or Mariners of the respective Ships shall intrust, and such as shall be appointed by the Commissioners of the Customs, are to preserve the same till they shall be adjudged a Prize; except where it shall appear to the Judge of the Admiralty that the Goods are perishable; in which Case the Judge shall take Bail for them, yet so as to be subject to Sale and Distribution, as is provided by this Act.

XC. Notwithstanding any Thing in the said Acts, or either of them, if any Goods prohibited to be imported, shall *bona fide* be taken as Prize, and so adjudged, the Commissioners for Prizes, &c. shall cause them to be entred and landed, and brought into their Majesties Warehouse, to be safely kept till they be sold, as is hereafter directed.

XCI. After such Goods, &c. shall be adjudged Prize, they shall, as soon as conveniently may be, be sold by the Commissioners for Prizes, &c. in the Presence of such as shall be intrusted by the Commissioners of the Customs, and the Owners, Officers and Mariners of such Ships of War, publicly by Inch of Candle, publick Notice being given fourteen Days before, of the Quantity and Quality of the Things to be sold, and of the Time and Place of Sale.

XCII. Out of the Proceed of such Sale, their Majesties Duties being deducted, the neat Proceed, in case such Prize were taken by a private Man of War, shall be divided into five Parts, four Parts to be answered to the Persons interested in the Privateer, and the fifth to their Majesties; and the Ship or Vessel, with its Furniture, shall be enjoyed by the Persons interested in the Privateer; and in case such Prize be taken by any of their Majesties Ships, the neat Proceed shall be divided into three Parts, one Third whereof to be answered to the Commander, Mariners and Seamen taking the same, according to the Custom of the Sea for sharing Prizes, or to such Orders as have or shall be made by their Majesties.

XCIII. Provided that one third Part thereof be distributed among the Ship's Crew, one third Part to be paid to the Treasurer of the Navy, for the Relief of sick and wounded Mariners, and the Widows, Children and impotent Parents of Persons slain at Sea in their Majesties Service, and the other third Part to the Use of their Majesties; and in case such Prize be taken by any Merchant-Ship employed in their Majesties Service, the Proceed thereof shall be divided into three Parts, one third Part to the Captain, Officers and Mariners taking the same, one third

third Part to the Use of their Majesties, and one third Part to the Treasurer of the Navy, for the Purposes aforesaid.

XCIV. If any who shall take such Prize or Prizes, imbezil or conceal any Part of such Goods or Merchandize, or put the same on Shore in any other Place than their Majesties Warehouses, they shall lose their Share thereof, upon Proof made by one or more Witnesses upon Oath, before the Commissioners of the Customs in the Port of *London* (if such Offence be committed within the said Port, or within the View and Knowledge of any Officer of the Customs belonging thereunto) and before the chief Magistrate of the Place, in the Presence of the chief Officer of the Port, in any other Port; one Moiety of such Wares to be to the Use of the Informer, and the other Part to the Use of their Majesties.

XC. Seamen and others concerned in any Prize, shall be permitted to see and peruse the Accounts of any Prize, without paying any other Fee than one Shilling for one Account at one Time.

XCVI. If any Ship or Goods of the Product or Manufacture of the Dominions of the *French King*, shall be taken by any Privateer by Collusion, upon Proof made thereof in the Court of Exchequer or Commission of Admiralty, they shall be adjudged lawful Prize; one Moiety thereof to their Majesties, and the other to him that shall discover the same; and the Bond given by the Captain of such Privateer is hereby adjudged to be forfeited: If such Ships or Goods shall be taken by Collusion by any Man of War, the Commander shall forfeit one thousand Pounds, one Moiety to their Majesties, and the other to the Discoverer; and such Commander shall forfeit his Command or Employment, and be incapable of any Office under their Majesties during seven Years, and such Vessel and Goods shall be adjudged good Prize to their Majesties.

XCVII. In all Cases where such Prize shall not be taken by any private Men of War, one tenth Part thereof after Deduction of their Majesties Customs, and before any Division of the Proceed thereof, shall be paid to the Treasurer of the Navy, and by him kept apart, to be disposed of by Warrant from the Commissioners of the Admiralty, or Lord High Admiral, for Medals, and other Rewards for Officers and Seamen, who shall do any extraordinary Service.

XCVIII. In case any Man of War or Privateer take or destroy any *French* Man of War or Privateer, they shall receive for every Piece of Ordnance in any Ship so taken or destroyed, ten Pounds, to be paid by the Commissioners for the Prizes, out of their Majesties Share of Prizes.

XCIX. Provided, That if the Commissioners do not pay the same, or give a Bill payable out of the first Monies that shall come to their Hands, by three Days after the same ought to be

paid, and Demand thereof made, free of all Charges and Deductions, such Commissioners shall be incapable of any Office in their Majesties Service for the future.

G. The Shares, Proportions and Rewards given by this Act to Commanders, Officers and Seamen, shall be in Lieu of all Shares in Prizes taken in Fight, and otherwise, during this War; any Thing in an Act made in the 13th of Car. 2. intituled, *Articles and Ordinances for the regulating and Government of his Majesty's Navy, Ships of War, and Forces by Sea*, or any Declaration or Order of their Majesties, to the contrary notwithstanding.

GI. If any Person shall imbezil any Thing whatsoever upon or above the Gun-Deck, or in any other Place, in any Ship taken or seized on as Prize, or retaken from the Enemy, he shall forfeit his Share and Reward hereby allowed him; and if he be an Officer, he shall forfeit for every such Offence 500 l. one Moiety to their Majesties, the other to him that will sue for the same, and shall be incapable of any Office or Employment under their Majesties for seven Years.

GII. Ships taken as Prize within the Streights of Gibraltar, may be carried into Cadix or Alicant, or Messina, or Naples, and be put into the Possession of such as shall be authorized by their Majesties to receive and preserve the same, till by the Court of Admiralty of England they be adjudged lawful Prize, or otherwise legally disposed of; the Captors being hereby required to transmit with all speed the Papers taken therein, or attested Copies thereof, to the said Court.

GIII. Ships taken as Prize in America, may be carried into any of their Majesties Ports there, and put into the Possession of the chief Governor, to be kept as aforesaid, till they be disposed of by such as shall be lawfully commissioned in that Behalf.

GIV. Ships taken in any Place beyond the Cape of Good Hope, may be carried into the Port or Place where any English Factory is established, and put into the Possession of the chief Person of the Factory, to be kept as aforesaid, till Condemnation by such as shall be commissioned in that Behalf.

GV. Where any Vessel shall be taken as Prize by a Privateer, in which Vessel there shall be no Goods of the Growth or Manufacture of the Dominions of the French King, then after Condemnation and Payment of Customs and other Duties, the Persons interested in such Privateer shall have the whole to their own Use, without Deduction for Tenth, or any other Part to their Majesties, or the Lord High Admiral.

GVI. Where any Vessel shall be taken within any of their Majesties Ports, Rivers or Havens by any Privateer, such Prize shall belong to their Majesties as a Perquisite of the Admiralty of England; and the Captors to have such Part thereof as their Majesties shall think fit to allow.

GVII. If

CVII. If any Vessel taken as Prize, or any Goods therein, shall appear to belong to any of their Majesties Subjects, continuing under their Majesties Protection and Obedience, which were before taken by their Majesties Enemies, and retaken, such Vessels and Goods, and every such Part thereof belonging to their Majesties Subjects, shall be restored by Decree of the Court of Admiralty to the former Owners, they paying in Lieu of Salvage, if retaken by a Man of War, an eighth Part of the Value; which Salvage shall be answered to the Captains, Officers and Seamen in the said Man of War, to be divided as in this Act is directed touching the Share of Prizes belonging to them, where Prizes are taken by any of their Majesties Ships of War; and if taken by a Privateer or other Vessel, after having been in Possession of the Enemy twenty-four Hours, an eighth Part of the Value; if above twenty-four Hours, and under forty-eight, a fifth Part; if above forty-eight Hours, and under ninety-six, a third Part; if above ninety-six Hours, a Moiety; all which Payments to any Privateer or other Vessel, to be made without Deduction; and if such retaken Ship shall appear to have been set forth by the Enemy as a Man of War, the former Proprietors shall pay the full Moiety of the true Value for Salvage.

CVIII. If any Vessel whereupon Wool is laden to be transported, contrary to Law, be taken by any Privateer, on Proof thereof in the Exchequer, the Persons interested in the Privateer shall have a Moiety of the Vessels and Goods, and their Majesties the other Moiety.

CIX. The Lord High Admiral, or Commissioners of the Admiralty, shall express all Things by this Act directed to be observed concerning Prizes, &c. in the Instructions by them to be given to Captains and Commanders of their Majesties Ships of War, and to Commanders of Privateers.

CX. All Goods of the Growth or Manufacture of France, imported and seized, shall be sued for and prosecuted in the Exchequer, in Manner and Form as is provided by an Act made in the 14th Year of King Charles II. intituled, *An Act for preventing Frauds in his Majesty's Customs*, two Thirds thereof to be to the Use of their Majesties, &c. (they defraying the Charges of the Prosecution) and one Third to the Prosecutor, and no Composition to be made for their Majesties Part; such Goods to be secured and sold, as Prize-Goods are appointed by this Act to be secured and sold.

CXI. If the Commissioners of the Prizes, or of the Customs, shall detain the Shares belonging to Persons interested in Privateers, two Days after the same ought to be paid, and Demand thereof made, free from all Deductions, except for Warehouse-Room, and 2*l.* per Cent. for all other Charges, they shall forfeit double the Sum so detained.

CXII. Stat. 5 W. & M. cap. 2. An Act for repealing such Parts of several former Acts as prevent or prohibit the Importation of Foreign Brandy, *Aqua vita*, and other Spirits, and Bacon, except from *France*.

CXIII. Stat. 5 W. & M. cap. 3. It shall be lawful to or for any Person or Persons residing within their Majesties Dominions, to import within this Kingdom from any Port whatsoever (excepting the Ports of *France*) during the present War with *France*, and three Months after, fine Thrown-Silk of the Growth or Production of *Italy*, *Sicily*, or *Naples*.

CXIV. Provided that this Act, nor any Thing herein contained, shall extend to give Liberty to bring over-land; and import any *Italian* Thrown-Silk, coarser than a Sort thereof known and distinguished by the Name of *Third Bologna*; nor any *Sicilian* Thrown Silk, coarser than a Sort thereof known and distinguished by the Name of *Second Orsay*; nor any Sorts of Silks commonly called *Trams*, of the Growth of *Italy*, *Sicily* or *Naples*; nor any other Thrown-Silk of the Growth or Production of *Turky*, *Persia*, *East-India* or *China*, under the Penalty and Forfeiture of all such Thrown Silk as shall be brought over-land, and imported contrary to the Intent of this Act.

CXV. And that all such fine *Italian*, *Sicilian* and *Naples* Thrown-Silks as are allowed to be imported by this Act, wheresoever landed, shall be brought to their Majesties Custom-house, *London*, to the Intent that no other Sort may be imported over-land, than those only allowed by this Act, under the Penalties before-mentioned; any Thing to the contrary hereof notwithstanding.

CXVI. Stat. 5 & 6 W. & M. cap. 9. Whereas by an Act made in the 5th Year of Queen Elizabeth, intituled, *An Act containing divers Orders for Artificers, Labourers, Servants in Husbandry, and Apprentices*, It is enacted in these Words following, *Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons using or exercising the Art or Mystery of a Woollen Cloth-Weaver, other than such as be inhabiting within the Counties of Cumberland, Westmorland, Lancaster and Wales, weaving Frieze, Cottons, or House-Wife's Cloth only, making and weaving Woollen Cloth, commonly sold, or to be sold by any Clothman or Clothier, shall take and have any Apprentice, or shall teach, or in any wise instruct any Person or Persons in the Science, Art or Occupation of Weaving aforesaid, in any Village, Town or Place, (Cities, Towns-Corporate, and Market-Towns only excepted) unless such Person be his Son, or else that the Father or Mother of such Apprentice or Servant shall, at the Time of the taking of such Person or Persons to be an Apprentice or Servant, or to be instructed, have Lands or Tenements, or other Hereditaments, to the clear yearly Value of 3 l. at the least, of an Estate of Inheritance or Freehold,*

to be certified under the Hands and Seals of three Justices of the Peace of the Shire or Shires where the said Lands, Tenements or Hereditaments do or shall lie; the Effect of the Indenture to be registered within three Months, in the Parish where such Master shall dwell, and to pay for such registering 4d. upon Pain of Forfeiture of 20 s. for every Month that any Person shall otherwise take any Apprentice, or set any such Person on Work, contrary to the Meaning of this Article.

CXVII. Now forasmuch as such Part of the said Act before recited hath been found prejudicial to the Clothing Trade, it is hereby enacted, that so much of the said Act as is before-recited, is hereby declared to be repealed and made void, as if the same had never been made.

CXVIII. Stat. 5 & 6 W. & M. c. 16. It shall be lawful for any of their Majesties Subjects to import and bring Saltpetre into this Kingdom from any Place or Country now in Amity with their Majesties, for the Space of one Year, to be computed from and after the 25th Day of March, 1694.

CXIX. Provided that such Saltpetre be brought in only in such Ships or Vessels as are *English* built, and no other.

CXX. Provided that no Person importing Saltpetre by Virtue of this Act, nor any Retailer, shall sell any Part of the said Saltpetre so to be imported, at above the Price of 70 l. per Ton, not exceeding 18 per Cent. Refraction upon the Penalty of 50 l. per Ton.

CXXI. Provided that the Saltpetre which shall be imported by Virtue of this Act, shall pay to their Majesties the same Duty, as if the same were directly imported from the *East-Indies*.

CXXII. If any Person shall mingle any Saltpetre imported by Virtue of this Act, with any other Saltpetre, and sell the same so mingled, at above the Rate of 70 l. per Ton; or shall by Way of Barter or Exchange, take, or agree to take any other Commodity for Saltpetre imported by Virtue of this Act (whether by it self or mingled with other Saltpetre) in any Manner, so as to have or receive for the same more than the Rate of 70 l. per Ton, accounting the Commodity so taken in Exchange at the then current Price, that the Sale of such Saltpetre so mingled, and also such Barter or Exchange, shall be construed and taken to be a Sale contrary to this Act.

CXXIII. Stat. 5 & 6 W. & M. cap. 17. It shall and may be lawful to and for any Person whatsoever, Bodies Politick or Corporate, to ship and export all, and all Manner of Iron, Copper or Mundick Metal out of this Realm of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*; except unto, or for the Use of the *French King*, or any of his Subjects residing within his Dominions, or in, to, or for any Port or Place within his said Dominions, during the present War between their Majesties

sties and the *French King*, paying the Duties and Customs by Law payable for the same.

CXXIV. Provided this Act shall not extend to the Exportation of Port-Metal, Gun-Metal, or Shruff-Metal, or any old Metal, or any Mixture therewith, or any Copper or other Metal than what is made of *English Ore* only.

CXXV. Stat. 6 & 7 W. 3. cap. 18. *versus finem*. No Person shall presume to deal in, buy or sell, or send beyond Seas any black Alamodes or Lustrings, unless they have the Seal and Mark which are already used for Foreign Goods at the Custom-house, or the Seal and Mark used by the Lustring Company for the Goods manufactured by them in *England*, under the Forfeiture of such unqualified Goods, and also to forfeit 100 l. for every Offence, one Half to the King, the other to such Person as shall sue for the same, by Action, Bill, &c. in any Court of Record at *Westminster*, wherein no Essoin, &c.

CXXVI. If the Buyer of such Goods not sealed, according to Law, shall within twelve Months discover the Person of whom he bought the same, he shall be discharged of the Penalty incurred, and shall also receive to his own Use one Moiety of the Sum imposed on the Party so selling.

CXXVII. Penalty for altering, counterfeiting, or misapplying any of the Seals or Marks, now used for the Purposes aforesaid, 100 l. to such Person as shall sue for the same.

CXXVIII. Stat. 7 & 8 W. 3. cap. 22. After the 25th Day of *March*, 1698, no Goods or Merchandizes whatsoever shall be imported or exported to or from any Colony or Plantation to his Majesty belonging, in *Asia*, *Africa*, or *America*, or from one Port or Place, to another Port or Place in the same, the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick*, in any Ship but what shall be built in *England*, *Ireland*, or the said Colonies, and wholly owned by the People thereof, and navigated with the Master and three Fourths of the Mariners of the said Places, under Pain of Forfeiture of Ship and Goods, one third Part to the King, one third Part to the Governor of the said Plantation, and the other third Part to the Person who shall inform and sue for the same at *Westminster*, or in the Plantations where such Offence shall be committed. [Except Ships taken and condemned as Prize, to be navigated as aforesaid; except also for the Space of three Years, such Foreign-built Ships as shall be employed by the Commissioners of his Majesty's Navy, in bringing only Masts, Timber, and Naval Stores for the King's Service, from his Majesty's Plantations, and whereof the Property doth belong to *English Men*.] And from and after the said 25th of *March*, Goods may be exported and imported to and from this Kingdom, and the Plantations aforesaid, in such Prize-

Prize-Ships; and Masts, Timber and Naval Stores, in such Foreign-built Ships, as aforesaid, for the Space of three Years; any Law or Statute to the contrary notwithstanding.

CXXXIX. All the present Governors or Commanders in Chief of any *English* Colonies or Plantations, shall, before the 25th of March, 1697, and all who shall hereafter be such, before their Entrance into the said Government, take a solemn Oath to do their Utmost that the Acts of Parliament heretofore passed, and now in Force, relating to the said Colonies and Plantations, (12 *Car. 2. cap. 18. 15 Car. 2. cap. 7. 21 & 23 Car. 2. cap. 26. 25 Car. 2. cap. 7.*) and that all and every the Clauses contained in this present Act, be punctually observed, so far as appertains to the said Governors respectively; and upon Proof made before his Majesty, by the Oath of two or more credible Witnesses, that any the said Governors or Commanders in Chief, have neglected to take the said Oath, or have been willingly negligent in doing his Duty accordingly, such Governor shall be removed from his Government, and forfeit the Sum of one thousand Pounds Sterling.

CXXX. All and every the Officers already appointed by Governors of Plantations, commonly known by the Name of the Naval Officers, shall within two Months after Notice of this Act, in the respective Plantations, or as soon as conveniently may be, give Security to the Commissioners of the Customs in *England*, for the true and faithful Performance of their Duty, and all Persons who shall hereafter be appointed to the said Office, shall within two Months, or as soon as conveniently may be, after his or their Entrance upon the said Office, perform the like to the Commissioners aforesaid; and in Default thereof the Persons neglecting or refusing so to do, shall be disabled to execute the said Office; and till such Security be given, and the Persons approved by the Commissioners, the respective Governors shall be answerable for any of the said Persons.

CXXXI. All Ships, whether the King's Ships or Merchants Ships, lading or unlading at any of the Plantations in *America*, and the Masters and Commanders thereof, shall be subject to the same Rules, Visitations, Searches, Penalties and Forfeitures as Ships and their Ladings, and the Commanders and Masters of Ships are subject and liable to in this Kingdom, by Virtue of the Act made 14 *Car. 2. cap. 11.* And the Officers for collecting his Majesty's Revenue, and inspecting the Plantation-Trade, in the said Plantations, shall have the same Power and Authority for visiting and searching of Ships, taking their Entries, seizing Goods prohibited, or for which Duties ought to be paid by any the forementioned Acts, as are provided for the Officers of the Customs in *England*, by the said last mentioned Act of 14 *Car. 2.* and also to enter Houses and Warehouses, to search and seize such Goods; and all Persons assisting in the Conveyance or Con-
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seizement of such Goods, or in resisting any of the said Officers in the Performance of their Duty, and the Boats and other Vessels employed in the Conveyance of such Goods, shall be liable to the like Penalties as are provided by the said Act of 14 Car. 2. in relation to prohibited and uncustomed Goods in this Kingdom; and the like Assistance shall be given to the said Officers, and the said Officers subject to the same Penalties for Corruptions, Frauds, &c. in Violation of any the aforementioned Laws, as the Officers of the Customs in *England* are liable to by the said Act. And in case any Officer in the Plantations shall be sued for any Thing done in Execution of his Office, he may plead the General Issue, and give this or other Custom-Acts in Evidence.

CXXXII. All Penalties and Forfeitures, not in this Act particularly disposed of, shall be one Third to the King, one Third to the Governor of the Plantation, and the other third Part to the Person who shall sue for the same in any Court at *Westminster*, in *Ireland*, or in the Court of Admiralty, in any Plantation belonging to *England*, wherein no *Essoin*, &c. shall be admitted. And where any Question shall arise concerning the Importation or Exportation of any Goods, the Proof shall lie upon the Owner or Claimer.

CXXXIII. Notwithstanding the Payment of the Duties given by the forementioned Act of 25 Car. 2. in any *American* Plantations, none of the Goods subject to the said Duties shall be shipped or laden aboard, until such Security shall be given as is required by the said Acts made in the 12th, 22d and 23d of Car. 2. to carry the same to *England*, *Wales* or *Berwick*, or some other of his Majesty's Plantations, under the Penalty and Forfeiture of Ship and Goods.

CXXXIV. All Laws, By-Laws, Usages or Customs in Practice, or pretended to be in Force and Practice in any of the said Plantations, which are any wise repugnant to any of the aforementioned Laws, or to this Act, or any other Law hereafter to be made in this Kingdom, relating to the said Plantations, are declared illegal, null and void.

CXXXV. In Cases where the Governors or Officers of the Customs in the Plantations, shall have reasonable Ground to suspect that any Certificates produced by *Scotchmen* and others, are false and counterfeit, (that is to say) that the Certificate of having given Security in *England* is false, in such case the said Governor or Officers shall require and take sufficient Security there for the Discharge of the Plantation-Lading in *England*, *Wales* or *Berwick*; and in such Case where there shall be Cause to suspect the Certificate of having discharged the Plantation-Lading in this Kingdom is false, they shall not vacate the Security given in the Plantation, till they shall be informed from the Commissioners of the Customs in *England*, that the Matter of the Certificate

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cate is true; and if any Person shall counterfeit, or raise any Cocket, Certificate, Return or Permit, for any Vessel or Goods, or knowingly make Use thereof, such Person shall forfeit the Sum of 500*l.* and the Cocket, &c. so falsified shall be invalid and of no Effect.

CXXXVI. The Lord Treasurer, Commissioners of the Treasury, and the Commissioners of the Customs in *England* for the Time being, shall, and may constitute such Officers of the Customs in any Town, Port, Harbour or Creek, of any Islands or Tracts of Lands, when and as often as to them shall seem needful.

CXXXVII. Upon any Actions, Suits and Informations that shall be commenced in the said Plantations, concerning his Majesty's Duties, or Forfeitures by Reason of any unlawful Importations or Exportations, none shall be of any Jury but such as are Natives of *England* or *Ireland*, or of the said Plantations; and in such Actions, Suits and Informations, the Offences may be laid to be in any Precinct or Division of the said Plantations, where such Offences are alledged to be committed, at the Pleasure of the Officer or Informer.

CXXXVIII. All Places of Trust in the Courts of Law, or relating to the Treasury in the said Islands, shall be in the Hands of the Native-born Subjects of *England*, *Ireland*, or of the said Islands.

CXXXIX. In all Bonds hereafter to be taken in the said Plantations, pursuant to the Act aforementioned, made 22 & 23 *Car. 2.* the Sureties therein named, shall be Persons of known Residence and Ability in the said Plantations, and the Conditions of the said Bonds, shall be within eighteen Months after the Date thereof (Danger of the Sea excepted) to produce Certificate of having landed the Goods therein mentioned in one of his Majesty's Plantations, or in *England*, *Wales* or *Berwick*; otherwise such Bonds, or Copies thereof attested under the Hand and Seal of the Governor or Commander in chief, to whom such Bonds were given, shall be in Force, and allowed in any Court of *England*, *Ireland*, or the Plantations.

CXL. After the first Day of *December*, 1696, it shall not be lawful on any Pretence whatsoever, to put on Shore in the Kingdoms of *Scotland* or *Ireland*, any Merchandize of the Growth or Product of any of his Majesty's said Plantations, unless the same have been first landed in *England*, *Wales* or *Berwick*, and paid the Rates and Duties wherewith they are chargeable, under Penalty of Forfeiture of Ship and Goods, three Fourths to the King, the other Fourth to him that shall sue for the same. Nevertheless, if any Ship laden as aforesaid, shall by stress of Weather be stranded, or by Leakiness or other Disability, be driven into any Port of *Ireland*, and unable to proceed on her Voyage, her Goods and Merchandizes may be put on Shore, but shall be delivered in, to the

the chief Officer of the Customs there, till the said Goods shall be put on Board some other Ship or Vessel, to be transported to some Port in *England, Wales, or Town of Berwick.*

CXLI. Persons claiming any Right or Property in any Islands or Tracts of Land on the Continent of *America*, by Charter or Letters Patent, shall not at any Time alien, sell or dispose the same to any other than to the natural-born Subjects of *England, Ireland, Wales, or Berwick*, without the Licence and Consent of his Majesty in Council first had and obtained; and all Governors appointed by any such Proprietors, shall be allowed and approved of by his Majesty, and shall take the Oaths enjoined to be taken by the Governors or Commanders in Chief in other his Majesty's Colonies and Plantations, under the like Penalty.

CXLII. After the 25th of *March, 1698*, no Ship shall be deemed to pass as a Ship of the Built of *England, Ireland, Wales, Berwick, Guernsey, Jersey*, or any of the King's Plantations in *America*, so as to be qualified to trade to any of the said Plantations, until the Proprietor of such Ship shall register the same, and one or more of the Owners of such Ship make Oath, *Where the Ship was built, who are the present Owners thereof, and that no Foreigner, directly or indirectly, hath any Share, Part or Interest therein.* Which Oath is to be administered by the Collector or Controller of the Customs of such Port to which the Ship belongs, if in *England, Ireland, Wales or Berwick*; but if in any *American* Plantation, *Guernsey or Jersey*, then by the Governor with the principal Officer of his Majesty's Revenue there.

CXLIII. Which Oath being attested by the Governor or Custom-house Officer respectively, who administered the same, and registred by them, shall be delivered to the Master of the Ship, for the Security of her Navigation, and a Duplicate transmitted to the Commissioners of his Majesty's Customs at *London*, and there entred in a General Register. The Vessel that trades to or from the Plantations in *America*, after the aforesaid Time, without such Proof made as here directed, liable to such Prosecution and Forfeiture, as Foreign Ships would be for trading to the said Plantations.

CXLIV. All such Ships as are taken at Sea by Letters of Mart, and condemned in the Admiralty as lawful Prize, shall be specially registred, with Proof also upon Oath, that the intire Property is *English*, before any such Prize shall be allowed the Privilege of an *English* built Ship.

CXLV. Nothing in this Act shall extend to require the registering of any Fisher boats, Hoys, or any open Boats, but only of such as cross the Seas to or from Plantations.

CXLVI. No Ship's Name registred shall be changed without registering such Ship *de novo*, under the same Penalties as before directed; and upon Sale of any Share, such Sale shall be acknowledged by Indorsement on the Certificate of the Register.

CXLVII. Stat.

CXLVII. Stat. 7 & 8 W. 3. cap. 33. So much of the eighty-two thousand Pounds subscribed for a joint Stock, as yet remains to be paid in to the Company, established by the Act made 4 & 5 W. & M. cap. 17. For settling the Greenland Trade, shall be paid in to the said Company and joint Stock, at such Times, and in such Manner as shall be appointed from Time to Time, by the Governor or Deputy-Governor and major Part of the Committees of the said Company for the Time being. Provided the whole Sum of eighty-two thousand Pounds be paid on or before the 25th Day of March, 1703.

CXLVIII. The said Company shall not from henceforth pay or be charged with the Payment of any Custom, Duty or Imposition whatever, for any Oil, Blubber or Whale-fins, which shall be caught and imported into this Kingdom by any Vessels belonging to the said Company.

CXLIX. Stat. 7 & 8 W. 3. cap. 39. After the first Day of August, 1696, it shall be lawful for any Natives of England or Ireland, to import into England, directly from Ireland, any Hemp, Flax, Thread, Yarn and Linen, of the Growth and Manufacture of Ireland, Custom-free, the Master or Chief Officer of the Vessel so importing, bringing a Certificate from the Chief Officer of the Port in Ireland, expressing the Particulars of the Goods, with the Names and Abodes of the Exporters, and the Names and Abodes of such Persons as have sworn the said Goods to be bona fide of the Growth and Manufacture of that Kingdom, and to whom they are consigned in England; and also the said Master or Chief Officer of the said Vessel, making Oath at his Arrival in England, that the said Goods are the same that he took on Board by Virtue of the said Certificate.

CL. All English-made Sail-cloth (upon due Proof by Oath of its being made in this Kingdom) shall after the first of August, 1696, be exported Custom-free, whether the same be exported in the Piece or Boul, or in Sails ready made. See 1 Ann. Stat. 2. cap. 8. Title Customs, 392.

CLI. Stat. 8 & 9 W. 3. cap. 36. Enacted, That whosoever shall import any Foreign Alamodes or Lustriings into England, Wales, or Town of Berwick, without paying the Customs and Rates due for the same at such Importation, or shall import any Alamodes or Lustriings prohibited by Law, or undertake or agree to deliver, or shall deliver any such Goods or Merchandize, or shall pay any Money, Premium or Reward for insuring or conveying any such Goods, or knowingly receive or take the same into his or her House, Custody or Possession, such Person may be prosecuted for the same in any Action, Suit or Information; and thereupon a *Capias* specifying the Sum of the Penalties shall

issue, and the Party be obliged to give sufficient Bail to the Officer to appear in Court, and shall at the Time of Appearance give sufficient Bail to pay the Penalties for such Offences, in case of Conviction, or yield his Body to Prison.

CLII. It shall be lawful for any Person to sue for and recover the Penalty of 500 l. imposed by Stat. 4 & 5 W. & M. upon insuring to import prohibited Goods, or Goods without paying Custom, (*cap. 15. Customs, 279.*) by Action of Debt, &c. in any of the King's Courts of Record at *Westminster*, wherein no *Essoin*, &c. shall be allowed.

CLIII. All black Alamodes and Lustrings wheresoever made, which shall be found in the Possession of any Person, not mark'd and seal'd by the Custom-house, or the Royal Lustring Company, shall be forfeited, and may be seized as forfeited, whether the same hath been bought and sold or not; and the Person in whose Custody they are found shall incur the Penalties relating to Alamodes and Lustrings, in an Act made 6 & 7 W. 3. *cap. 18. Quod vide supra 125.*

CLIV. No Alamodes and Lustrings, that after the 10th of April, 1697, shall be seized and forfeited by Virtue of any Law now in Force, shall be used in *England*, but shall be exported again, and to that End shall immediately on their Seizure be carried to the Custom-house Warehouse in *London*, and there sold by Inch of Candle, on Condition to be exported, and Security given for Exportation; which Security may be discharged by Certificate from the Port where such Goods shall be landed, or Oath made that they were lost at Sea.

CLV. On Exportation of Foreign Lustrings or Alamodes, the Exporter shall not be entitled to receive, draw back, or be repaid the Customs or Impositions paid or secured on Importation of the same, or any Part thereof.

CLVI. Every Person that shall imbeizil, pawn, sell or detain any of the Silk delivered to them as Agents, Journeymen, Wipers or Winders, or after it is wrought up, and every Receiver, Buyer and Pawn-taker of any the said Goods, shall be subject to all the Penalties and Punishments mentioned and provided in an Act made 13 & 14 Car. 2. (*cap. 15.*) and in another Act made 20 Car. 2. (*cap. 6.*) both for regulating the Trade of Silks, throwing.

CLVII. All such Pieces of Alamodes and Lustrings as some Weavers have now by them unmark'd, and shall appear upon Oath made in Writing before any Justice of Peace, by one or more credible Witnesses, to be manufactured within this Realm before the 10th of April, 1697, shall be brought to the Royal Lustring Company's Warehouse, and the Evidence being there produced, shall be mark'd and seal'd gratis by the said Company, before the first Day of May, 1697, and then be lawful to be sold as if manufactured by the said Company.

CLVIII. The said Weavers shall give an Account weekly to the said Company, to whom they have sold such Goods so mark'd and seal'd, under the Penalty of double the Value of such Goods for every Omission, to be recovered as other Penalties inflicted by this Act; and the said Company shall keep a Register of the said Sales.

CLIX. Stat. 9 & 10 W. 3. cap. 9. All Persons who after the 25th of March, 1698, shall import or cause to be imported into England or Wales, or Town of Berwick upon Tweed, or who shall after the 24th of December, 1698, sell, barter or offer to Sale, or knowingly keep in their Custody for Sale, or for the Use of any Importer or Dealer in the Commodities afore-mentioned, any Foreign Bone-lace, Loom-lace, Needle-work, Point or Cut-work, shall forfeit 20 s. per Yard for all the said Foreign Bone-lace, &c. so imported, sold, bartered, offered to Sale or kept as aforesaid, together with all the said Goods.

CLX. The Importation, selling, battering, offering to Sale or Barter, or knowingly keeping for that Purpose any Foreign Bone-lace, &c. is hereby declared a common Nuisance; and the said prohibited Goods, or any Part thereof, may be seized, and the Offenders prosecuted by any Person whatsoever. Any Persons with a Constable or Tythingman, with a Warrant from a Justice of Peace, in the Day-time may enter into any House, Shop, Cellar, Warehouse or Room, or other Place whatsoever, to search for and seize any of the prohibited Goods before-mentioned, and in case of Resistance, to break open Doors, Chests, Trunks and other Package whatsoever, to seize the Goods prohibited by this Act: And every Justice of Peace is to grant such Warrant to any credible Persons making Oath, that they have Reason to suspect there are such prohibited Goods where they intend to search.

CLXI. All foreign Bone-lace, &c. seized by Virtue of this or any other Act, shall be carried to the next Custom-house, not thence to be delivered, unless to be produced at a Trial, or otherwise to be discharged by Law. The Goods so seized and condemned shall be sold publicly by Inch of Candle, whereof publick Notice in Writing to be affixed at the Custom-house Door, and other publick Place where the Goods are lodged, ten Days before the Sale, and shall not be delivered to the Buyers without Security by Bond, in double the Value, to export the same within six Months, and not to import the same into England, Scotland or Ireland, or his Majesty's Dominions in America or elsewhere: Which Obligation, upon Certificate of the proper Officer, and Oath of the Buyer, that the said Goods were exported accordingly, and not landed or intended to be landed again in any of his Majesty's Dominions, shall be vacated; but the said Goods not being so exported, the Persons in whose Custody

the said Goods shall be found, shall be again liable to all the Forfeitures in this or any other Act, as if the same had never been seized.

CLXII. If any Bone-lace, &c. be seized, and carried to any Custom-house as foreign, which the Seizer shall after believe to be *English*, he may take off his Seizure, affixing publick Notice in Writing at the Custom-house Door and *Guildhall*, or other most publick Place, of the Quantity and Kind so seized: And if no other Person shall within ten Days after undertake to prosecute for the same, it shall be delivered back to the Proprietor, Oath being first made by him or some known Person on his Behalf, that the said Goods are (to the best of his Knowledge and Belief) *English* made, and Oath made before some Justice of Peace of the Place, where and of whom the said Goods were bought, who shall certify the same at the next General Quarter-Sessions; and the Persons wilfully forswearing themselves therein, shall suffer as for Perjury.

CLXIII. The Officers of the Customs shall be aiding in the Execution of this Act, and upon Conniving at the Importation, Delivery or Selling of any such Foreign Bone-lace, &c. shall forfeit twenty Pounds, and be ever incapable of serving his Majesty in any Office.

CLXIV. The Proof that such Bone-lace, &c. so found or seized was made and manufactured in *England, Wales or Berwick*, shall be only upon the Importer, Keeper, Seller, Retailer, Barterer, or those in whose Hands or Custody the same shall be found, and not upon the Informer, Seizer or Prosecutor, that they were made beyond Sea.

CLXV. The Penalties and Forfeitures incurred by this Act, may be recovered (over and above any Penalties in any former Act) in any the Courts of Record at *Westminster*, and the said Penalties (the Prosecutor having been allowed his reasonable Charges) shall be one Moiety to the King, the other to the Person that will sue for the same.

CLXVI. Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue, and give this Act and the special Matter in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff discontinue, be nonsuited, or have Judgment against him upon Demurrer, the Defendant shall have treble Costs.

CLXVII. All Informations against this Act shall be brought within twelve Months after the Discovery of the Offence.

CLXVIII. Before any Person shall be admitted to enter a Claim to any such Goods seized, he shall be obliged to give Security by Recognizance before a Baron of the Exchequer in twenty Pounds Penalty, to pay the Prosecutor full Costs of Suit, in case a Verdict shall pass, or Judgment be entred for the Plaintiff, and

and in Default of such Security in due Time, the said Goods shall be adjudged forfeited.

CLXIX. This Act shall not empower any Persons to enter into any House, Shop, Cellar, Warehouse, or other Room or Place, or to break open the same, or any Door, Chest, Trunk or other Package not belonging to a Dealer in Lace. *Repealed by 11 W. 3. cap. 11. three Months after taking off Prohibition of English Manufactures in Flanders.*

CLXX. Stat. 9 & 10 W. 3. cap. 17. Enacted, That after the 24th of July, 1698, all Bills of Exchange drawn in or dated at or from any Place in this Kingdom, of the Sum of five Pounds Sterling or upwards, upon any Person in London, or any other trading City, Town or Place (in which Bills the Value shall be expressed to be received) drawn payable at a certain Time after the Date thereof, may after Acceptance in Writing, and the Expiration of three Days after the same shall be due, be attested by a Notary-Publick, or in Default of such Notary-Publick, by any other substantial Person of the Place before two Witnesses, Refusal or Neglect being first made of due Payment, which Protest shall be made under a Copy of the said Bill, in the Form prescribed by the Act, and shall be notified within fourteen Days after to the Party from whom the Bills were received, who (upon producing such Protest) is to repay the said Bills with Interest and Charges from the protesting: For which Protest there shall not be paid above six Pence. And in Default of such Protest, or due Notice thereof, the Person so failing shall be liable to all Costs, Damages and Interest thereupon. Provided, That if any such Inland Bills be lost or miscarry, within the Time limited for Payment of the same, the Drawer of the said Bills shall give other Bills of the same Tenor, Security being given to indemnifie him in case the said Bills so lost or miscarried be found again. See Title Bills, Sect. 4, &c.

CLXXI. Stat. 9 & 10 W. 3. cap. 26. After the 24th of June, 1698, the Royal African Company shall maintain all such Forts and Castles as they now have in their Possession, or shall hereafter purchase or erect for the Preservation of the Trade to Africa; and shall supply them with Men, Artillery, Ammunition and Provision, and all other Necessaries as Occasion shall require.

CLXXII. Any of the Subjects of this Realm, as well as the said Company, may after the said 24th of June trade from England, and after the first of August, 1698, from any of his Majesty's Plantations in America, to the Coast of Africa, between Cape Mount, and the Cape of Good Hope, the said Company, and all others, answering a Duty of 10 per Cent. *ad valorem*, for the Goods and Merchandize exported thither from England, or from

his Majesty's Plantations in *America*, for maintaining the said Castles and Forts, and preserving the said Trade.

CLXXIII. The Master, Owner or Freighter of every Ship intending to sail or trade between *Cape Mount*, and the *Cape of Good Hope*, shall at one of the chief Custom-houses in *England*, or the Plantations from whence such Ship is to sail, enter the Name of the Master and Ship, and the Burthen thereof so freighted, fifteen Days before clearing thereof: And the Owner or Exporter shall there also enter upon Oath the Quantity, Quality and Value of the Goods and Merchandize so to be shipped, and sign such Entry: And thereupon pay the said Duty to the Collector or chief Officer of the Customs there, who is to demand and receive the same for the Use of the said Company: And all such Goods and Merchandize exported from *England* to the Plantations, and from thence to *Africa*, shall be valued at no more than what they cost in *England*.

CLXXIV. The Collector or other chief Officer in or near the Ports whence such Ships are to be cleared, shall before the clearing thereof administer the Oaths following, whereof the Master shall make Oath thus,

I A. B. do swear, That the Manifest or Particular now by me given in and signed, to the best of my Knowledge and Belief, doth contain, specific and express all the Goods, Wares and Merchandizes which are laden or intended to be laden, or put on Board the Ship or Vessel called the
whereof I A. B. am Master for this
Voyage to *Africa*.

So help me God.

CLXXV. Every Owner or Exporter of such Goods, upon Entry thereof shall make this Oath,

I A. B. do swear, That the Entry by me now made and signed, doth contain and specific all the particular Quantities, Quality, and true and full Value of all the Goods, Wares and Merchandizes therein expressed, to be shipped on Board the Ship or Vessel called the
whereof
is Master, for this
Voyage she is now to proceed on to *Africa*.

So help me God.

CLXXVI. Upon exporting any Goods or Merchandize from the Plantations to *Africa*, that were there imported from *England*, the Owner or Exporter shall also swear, That to the best of his Knowledge and Belief, such Goods and Merchandize so entred were imported from *England* into that Colony or Plantation; and that the true and real Value thereof, as cost in *England*, is fully expressed in the said Entry: And the said Master or one of the Owners

Owners or Freighters, before such Ship be cleared, shall give Bond to his Majesty, to the Value of the Ship and Lading; that the said Ship (not unavoidably hindered) shall sail directly to *Africa*, between the Capes aforesaid, and thence directly return to and unlade in *England*, or one of the Plantations aforesaid: And the Collector or chief Officer aforesaid is to take such Bond, and keep a distinct Book of all such Entries and Duties payable for the Use of the said Company; and to deliver the said Company, on Demand, a Duplicate of such Entries and Oaths, and Bonds given, and Monies paid; and shall pay to the said Company the Monies so received, deducting 5 per Cent. for his or their Trouble.

CLXXVII. After the 24th of June, 1698, any of the Subjects of this Realm, as well as the said Company, may trade from *England*, or any of his Majesty's Plantations in *America*, to the Coast of *Africa* between *Cape-Blanco* and *Cape-Mount*, paying 10 per Cent. *ad valorem* for the Goods and Merchandize so exported to the said Coast; and paying a further Sum of 10 per Cent. *ad valorem* (Red-wood excepted, which is to pay 5 per Cent. only) at the Place of Importation, upon all Goods and Merchandize (Negroes excepted) imported into *England*, or the Plantations from *America*, between *Cape-Blanco* and *Cape-Mount* aforesaid: And every Master and Trader trading from *England* or the Plantations between the said Capes, shall make like Entries and Oath, and give like Bonds as is directed for Masters and Traders between *Cape-Mount* and *Cape Good-Hope*; and upon such Entry and Oath shall pay the Duty aforesaid, payable by Traders between *Cape-Mount* and *Cape Good-Hope*: And the Collector or chief Officer of the chief Custom-houses in *England*, or the Plantations from whence such Snip shall be dispatch'd, are to take such Entries and Bonds, and give such Oaths, and receive such Duties, and pay the same to the said Company on Demand, for the Uses before directed; and to do every other Thing *mutatis mutandis* as is directed touching Traders between *Cape Mount* and *Cape Good-Hope*: And that all Goods and Merchandize (Negroes excepted) that shall be shipped on the Coast of *Africa* between *Cape-Blanco* and *Cape-Mount*, and shall be imported into *England* or the Plantations, shall pay the Duties aforesaid: And the Master or chief Officer of every such Ship, that shall take on Board any Goods or Merchandize (Negroes excepted) between *Cape Blanco* and *Cape-Mount*, shall, upon making Entry thereof, and before landing the same, deliver in a Particular of his Cargo, and take the following Oath,

CLXXVIII. I A. B. do swear, That the Manifest or Particular now by me given in and signed, to the best of my Knowledge and Belief, doth contain, signifie and express all the Goods, Wares and Merchandizes (Negroes excepted) which were laden or put on Board the said Ship, called the _____ during her Stay and Continuing on the Coast of Africa, between Cape-Blanco and Cape-Mount, whereof I A. B. am Master.

CLXXIX And that the Owner or Importer of all Goods and Merchandizes (Negroes excepted) which shall be brought into England or the Plantations, from beyond Cape-Blanco and Cape-Mount, shall make Entry thereof at one of the chief Custom-houses in England, or the Plantations where imported, with the Collector or chief Officer of the Customs upon Oath, and sign the same, of the Quantity, Quality and Value of such Goods and Merchandize, as worth to be sold at the Place of Importation, and pay the Duty for the same as aforesaid: And such Collector or chief Officer where such Ship shall arrive, is to take the Entries and Manifests, give the Oaths and receive the Duties aforesaid, and pay the same to the said Company on Demand, for the Uses afore-directed, and deliver to the said Company a Duplicate of all such Entries and Oaths made and signed, as aforesaid.

CLXXX. The said Collector or Officer may deduct for his or their Trouble 5 per Cent. for the Duties arising by this Act, except for the Exports and Imports of the said Royal African Company: And the said Company shall give an Account in Writing of the Monies by them received, and by their Exports and Imports for the Duties aforesaid, and how they have laid out the same yearly, within three Months after the End of every Year, to the Cursitor-Baron of the Exchequer, who may examine Persons thereupon on Oath. And all such Goods and Merchandizes brought from between Cape-Blanco and Cape-Mount, as shall be landed before Entry made and signed, and Oath of the Value thereof made, and the Duty paid, shall be forfeited, or the Value thereof.

CLXXXI. Every Ship which contrary to this Act shall sail from England or the Plantations, for the Coast of Africa, without being duly entred, Oath made and Bonds given, (as afore-directed) shall be forfeited, or the Value thereof: And all Goods and Merchandize shipped from England, or the Plantations, for the Coast of Africa, as aforesaid, contrary to this Act, before due Entry made thereof, and of the Value, and the Duties paid for the same, shall be forfeited, or the Value thereof: And every Ship, and all the Goods and Merchandize therein, belonging to his Majesty's Subjects, sailing from any other Part than from
England,

England, or the Plantations, to the Coast of *Africa*, as aforesaid, shall be forfeited.

CLXXXII. One third Part of the said Forfeitures shall be to his Majesty, one third Part to the said Company, towards Maintenance of the said Forts and Castles, and the other third Part to the Informer and Prosecutor.

CLXXXIII. Any Persons whatsoever may sue for the said Forfeitures in any of his Majesty's Courts of Record of this Kingdom, or in any of his Majesty's Plantations or Colonies in *America*.

CLXXXIV. If any Ship trading to *Africa*, and the Goods therein, be cast away or lost before she arrive at her Port, the Proprietors or Exporters shall upon their sending any other Ship to *Africa*, be allowed so much as was paid to the said Company for the Goods so lost.

CLXXXV. All the natural-born Subjects of *England* trading to *Africa*, and paying the Duties by this Act imposed, shall have the same Protections for their Persons, Ships and Goods, from the said Forts and Castles, and like Freedom for their Trade, as the said Company, and their Ships and Goods have: And all Persons trading to *Africa*, and paying the Duties, as aforesaid, may at their own Charge settle Factories on any Part of *Africa*, within the Limits aforesaid, without Let of the said Company: And all Persons, not Members of the said Company, so trading and paying the said Duties, shall with their Ships and Goods be free from all Molestation, Penalties or Impositions from the said Company, by Reason of their so trading.

CLXXXVI. If any Goods exported for *Africa*, having paid the Duties on this Act, shall be brought back to *England* or the Plantations, they may be exported again to *Africa* without paying any Duty, Oath being first made by two Persons, not interested in such Goods, that the Duty was paid upon their first Exportation; a Copy of the Entry of such Goods upon their former Exportation being first produced and attested upon Oath of two Persons.

CLXXXVII. All the Duties arising by this Act are hereby appropriated wholly to the Maintenance of the Forts and Castles on the Coasts of *Africa* in the Possession of the said Royal *African* Company, and for keeping them well repaired, and providing them with Ammunition and warlike Stores, and Soldiers to defend them, and paying the Officers and Soldiers, and to no other Uses whatsoever: And a true Account of the said Duties, and laying out the same, shall be kept in a Book for that Purpose, which shall lie open at the *African* House in *London*, to be perused by all Persons trading to *Africa*; and that an Account be made up yearly at *Michaelmas*, or within twenty Days after, and recorded in the Exchequer.

CLXXXVIII. No

CLXXXVIII. No Duty imposed by this Act shall be required in *England* or the Colonies aforesaid, for any Gold or Silver imported from *Africa*, but the same may be landed without Entry or Declaration thereof.

CLXXXIX. This Act shall not hinder any Person from trading to that Part of *Africa* called *Barbary*, extending Southerly as far as *Cape Blanco*.

CXC. And any of his Majesty's Subjects (notwithstanding the Act of 5 & 6 W. & M. that no other Copper than what is made of *English Ore* should be exported) may export from *England* all such Copper-Bars as have been imported thither from Foreign Parts, and upon Exportation shall draw back all Duties or vacate the Securities, saving the Half of the old Subsidy, as is usual in other Commodities.

CXCI. No Governor or Deputy-Governor of any his Majesty's Colonies or Plantations in *America*, or the Judges there, or any other for their Use, shall after the 29th of *September*, 1698, be a Factor or Agent for the said Company or others, for the Sale or Disposal of Negroes; but every Person offending herein shall forfeit 500 *l.* to the Uses aforesaid, to be recovered in any of the Courts of Record at *Westminster*.

CXCII. This Act shall be in Force only thirteen Years, and from thence to the End of the next Session of Parliament.

CXCIII. Stat. 9 & 10 W. 3. cap. 28. 'After the 24th Day of *June*, 1698, it shall be lawful to export such Watches, Sword-Hilts, wrought Plate, and other Silver Manufactures made within this Kingdom, being of the Fineness of eleven Ounces and ten Penny-weight to every Pound Troy, and so proportionably for a greater or lesser Weight, according to the Rules prescribed in the Act made 8 & 9 W. 3. intituled, *An Act for the encouraging the bringing in of wrought Plate to be coined*, as shall be yearly allowed by the Commissioners of the Customs, or any three of them.

CXCIV. No Person shall after the said 24th Day of *June*, export or send, or endeavour to export or send out of this Kingdom, any outward or inward Box, Case or Dial-plate of Gold, Silver, Brass or other Metal for Clock or Watch, without the Movement in or with every such Box, Case or Dial-plate made up fit for such Use, with the Clock or Watch-maker's Name engraven thereon: Nor shall any Persons after the said 24th of *June*, make up, or cause to be made up any Clock or Watch without engraving or putting their own Name and Place of Abode or Freedom, and no other Name or Place, on every Clock or Watch they shall so make up, on the forfeiting every such empty Box, Case and Dial-plate, Clock and Watch not made up and engraven as aforesaid, and for every such Offence twenty Pounds, one

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Moiety to the King, the other to them that shall sue for the same in any of his Majesty's Courts of Record.

CXCIV. Stat. 9 & 10 W. 3. cap. 39. After the 24th Day of July, 1698, all Silver Wire to be drawn for the making of Gold and Silver Thread, shall hold at the least eleven Ounces, sixteen Pennyweight of fine Silver to the Pound Troy, and all Silver to be gilt for that Use, shall be of the same Fineness, and shall not have less than four Pennyweight of fine Gold, laid upon each Pound-weight of Silver, on Forfeiture of five Shillings *per* Ounce, to be paid by the Refiner or Maker.

CXCVI. After the said 24th of July, no gilt Wire shall be coloured with Verdigrease or Deadhead, or any forced Colour, on Forfeiture of two Shillings and six Pence *per* Ounce. And for all Gold and Silver so prepared and reduced into Plate, there shall be allowed at least six Ounces to cover four Ounces of Silk, the finest of which Silk shall not run above sixteen Yards to the Pennyweight Troy; and six Ounces to cover three Ounces of Silk, not running above ninety Yards to the Pennyweight Troy; and for all Gold and Silver Thread made finer, six Ounces of Plate to cover two Ounces and a half of Silk; and shall be spun close upon well boiled and light dyed Silk only (except Frost-work) on Forfeiture of two Shillings and six Pence *per* Ounce. And every Spinner of Gold and Silver Thread that shall lay Gold or Silver Plate upon Silk in other Proportions, shall forfeit for every Ounce so spun two Shillings.

CXCVII. After the said 24th Day of July, Copper, Brass, and every other inferior Metal than Silver, shall be spun upon Thread, Yarn or Incle only, and not upon Silk, on Forfeiture of five Shillings *per* Ounce.

CXCVIII. After the said 24th Day of July, no Gold or Silver Thread, Lace, Fringe or other Work made thereof, nor any Thread made of Copper, Brass, or any inferior Metal, or Wire or Plate ready wrought, for the covering of Silk or Thread, shall be imported into this Kingdom, on Pain of being forfeited and burnt.

CXCIX. Of the several Penalties in this Act, one Moiety shall be to the King, the other to them that shall sue for the same, in any the Courts of Record at *Westminster*.

CC. If any Person be sued for what he shall do in Execution of this Act, he may plead the General Issue, and give the special Matter in Evidence, and upon a Nonsuit, Discontinuance or Verdict against the Plaintiff, the Defendant shall have treble Costs.

CCI. No Penalty shall be inflicted on any Person exposing to Sale any Silver Wire, or Silver (or Gold Thread, or Lace, or Fringe, on or before the 29th of September, 1699, though not made

made according to this Act, provided it be proved by Oath before a Justice of Peace of the Place, that such Goods were made on or before the 24th Day of July, 1698.

CCII. Every Prosecution upon this Act shall be commenced within six Months after the Offence committed.

CCIII. This Act shall continue for three Years, and thence to the End of the next Session of Parliament. *Vide post* 413.

CCIV. Stat. 9 & 10 W. 3. cap. 42. Whereas by an Act 7 & 8 W. 3. intituled, *An Act for preventing Frauds, and regulating Abuses in the Plantation-Trade*; it is enacted, That after the 25th of March, 1698, no Ship or Vessel shall pass as a Ship of the Built of England, Ireland, Wales, Berwick, Guernsey, Jersey, or any his Majesty's Plantations in America, so as to trade to or from the said Plantations, till registred as directed by the said Act: And yet several Merchants trading to the Plantations, have sent out several Ships and Vessels thither, but through Inadvertency only, have omitted to register them; it is enacted, That all Ships and Vessels of the Built of England, Ireland, Wales, Berwick, Guernsey, Jersey, or any his Majesty's Plantations in America, being English Property, shall have nine Months longer from the said 25th Day of March, 1698, for registering such Ships; which being registred within the said nine Months, shall have the Advantage of the said Act, as if registred before the said 25th Day of March, 1698.

CCV. Stat. 9 & 10 W. 3. cap. 43. After the first Day of July, 1698, no Foreign Silks, known by the Name of Alamodes or Lustrings, shall be imported into this Kingdom, but into the Port of London only; and Notice shall be given to the Commissioners or Chief Managers of the Customs there, of the Quality and Quantity, with the Marks, Number and Package of all such Silks intended to be imported, with the Name of the Importer, and of the Ship and her Burthen, and of the Master and Commander on which they are to be laden, and the Port where the same are to be taken on Board: And a Licence shall be taken under the Hands of the said Commissioners or chief Managers of the Customs, or any three of them, for the importing of the same; which Licence is to be granted without Fee or Reward.

CCVI. The said Commissioners or chief Managers of the Customs shall cause to be marked or sealed all such Alamodes and Lustrings, which shall be imported after the said first Day of July, according to this Act; and cause a distinct Registry thereof to be kept in the Custom-house, to be made without Fee or Reward, before the Goods be delivered out of the Custom-house Warehouse, And if any of the said Silks shall be imported into this Realm other where than in the Port of London, or imported without such Notice or Licence, and the Duties paid for the same,

same, or shall not be so sealed and marked, such Silks or the full Value thereof, shall be forfeited: And the Silks which shall be seized and forfeited, by Virtue of this or any former Act, shall be sold and exported pursuant to the Rules mentioned in an Act of 8 & 9 W. 3. intituled, *An Act for the further Encouragement of the Manufacture of Lustrings and Alamodes within this Realm.*

CCVII. All Persons who shall import or bring into this Kingdom any Alamodes or Lustrings contrary to this Act, or knowingly receive the same into their Custody, or sell or offer to Sale any such Foreign Silks so fraudulently imported, and their Aiders, Abettors and Assistants knowing thereof, shall forfeit 500 Pounds.

* CCVIII. If any Commission or Warrant Officer, or other Person in the Service of his Majesty, and having the Command of any Ship or Vessel, shall import or convey, or procure or suffer to be imported, or take on Board any Alamodes or Lustrings, in Order to be imported into this Kingdom, or shall unship or suffer to be unship'd into any Boat or Vessel any such Silks, knowing thereof, shall over and above the Forfeitures and Penalties in this or any other Act, be *ipso facto* rendered incapable of serving his Majesty by Sea or Land, or of receiving any Advantage by Virtue of such Service: And if any Seaman, Mariner, or other, belonging to any Ship or Vessel, shall discover any Alamodes or Lustrings so imported, or unship'd in order to be imported, contrary to this Act, such Persons shall (over and above their Part of the Forfeitures by this Act) be discharged from on Board such Ship or Vessel, if they desire the same; and the Captain or Master shall immediately give them a Ticket, entitling them to their Wages on Board such Ship or Vessel.

CCIX. If any Persons shall afterwards counterfeit or misapply any of the Seals or Marks now used at the Custom-house, for sealing and marking Alamodes and Lustrings, according to this or any other Act, or the Seals or Marks of the said Company for marking and sealing their Goods; they, their Aiders and Abettors, shall for every such Offence forfeit 500 *l.* and stand in the Pillory two Hours: And all Persons who shall buy or sell, or have in their Possession any Alamodes or Lustrings with a counterfeit Seal or Mark, or with the Custom-house or Company's Seal or Mark not lawfully affixed thereto, knowing thereof, and not discovering the same, shall forfeit the Goods and 100 *l.* Any Person with a Writ of Assistance from the Exchequer, or with a Constable or Officer, and a Justice of the Peace's Warrant, may in the Day-time enter into any House, Shop, Warehouse or other Place, to search for and seize any Alamodes or Lustrings imported contrary to this or any other Act, or sealed or marked as aforesaid; and in case of Resistance to break open Doors, Chests and other Package, to bring thence to his Majesty's Warehouse any such Silks: And the Justices of Peace are to grant such Warrants

to credible Persons making Oath, they suspect there are such Silks where they intend to search : And upon Dispute whether such Silks were manufactured beyond the Seas, or imported contrary to this Act, the Proof shall lie upon the Importer or Owner, and not upon the Prosecutor.

CCX. All Officers of the Customs, or in Corporations or elsewhere, shall be assisting in the Execution of this Act; and if any Officer of the Customs shall knowingly connive at the Importation or Disposing of such Alamodes and Lustrings, or if any Persons taking upon them to seize or prosecute in pursuance of this or any other Act, shall by Collusion desist or delay Prosecution to Condemnation of the said Silks, they shall forfeit 500*l*. and be incapable of any Office or Employment.

CCXI. Such Persons convicted for any Offence against this or any other Act relating to Alamodes or Lustrings, as shall afterwards offend a second Time or oftner, shall so often as they offend forfeit double the Sum inflicted by this Act.

CCXII. All Persons offending contrary to this or any Act relating to Alamodes or Lustrings, shall be prosecuted in any Action, Suit or Information, and thereupon a *Capias* in the first Process, specifying the Penalties sued for, may issue, and sufficient Bail and Security shall be given by natural-born Subjects or Denizens to answer such Suit, and at the Time of Appearance sufficient Bail and Security in Court to answer the Penalties in case of Conviction, or to suffer Imprisonment.

CCXIII. All the Penalties and Forfeitures imposed hereby; or by any former Law relating to Alamodes and Lustrings, shall be two third Parts to his Majesty, and one third to the Prosecutor, the Charge of which Suit shall be born by his Majesty, out of his Majesty's Part of the Forfeitures : Which Penalties and Forfeitures shall be recoverable by Action of Debt, Bill, Plaint or Information in any the Courts of Record at *Westminster*, where in no *Essoin*, &c. shall be allowed, nor more than one Impar- lance: All which Informations or Actions may be laid and tried in such Places, and with the like Proceedings as are used about the seizing, condemning or prosecuting any Goods for Nonpayment of Customs, or other Duties, or any Persons offending against the Laws relating to the Customs.

CCXIV. No Claim shall be entred to any such Silks seized as aforesaid, till Security given by Recognizance before a Judge, to answer the Penalties and Forfeitures with full Costs of Suit, wheae a Verdict shall pass, or Judgment be entred for the Plaintiff: And in Default of such Security within the Time limited, the Goods to be forfeited, and Judgment entred accordingly.

CCXV. This Act and every Thing therein contained shall be taken to be a general Law, and not needful to be set forth in Pleading, and shall be construed most beneficially for the Prosecutor, and for preventing the Mischiefs hereby provided against.

And

And Persons sued for any Thing done by Virtue hereof, may plead the General Issue, and give this Act and the special Matter in Evidence; and upon a Verdict for the Defendants, or if the Plaintiff discontinue, be nonsuit, or suffer Judgment by Demurrer, the Defendants shall have treble Costs.

CCXVI. All Actions brought by an Informer against this Act, shall be commenced within two Years after the Offence committed.

CCXVII. The Royal Lustring Company having been first erected by the late King *James*, by Letters Patent bearing Date the 23d of *November*, 4 *Jac.* 2. for the Term of fourteen Years, and afterwards by the Letters Patent of his present Majesty, and the late Queen of blessed Memory, bearing Date the 15th of *October*, 4 *W.* & *M.* incorporated with perpetual Succession for the making and dressing the Alamodes, Renforcez and Lustrings in *England*; and having brought the said Manufacture to Perfection, but by reason of the fraudulent Importation of Alamodes and Lustrings, and in contesting with many Difficulties and Obstructions, have not enjoyed the Benefit intended them by the said Charter, it is enacted, That the foresaid Company and their Successors shall from henceforth be a Body Politick and Corporate, by the Name of *The Royal Lustring Company*, and enjoy all the Privileges and Authorities granted them in the said Charter of Incorporation, as fully as if the same were recited in this Act.

CCXVIII. The said Royal Lustring Company, and their Successors, shall have the sole Exercise and Benefit of making, dressing and lustrating of plain black Alamodes, Renforcez and Lustrings within this Realm for fourteen Years, from the 24th of *June*, 1698, and from thence to the End of the next Session of Parliament, any Thing to the contrary notwithstanding.

CCXIX. The said Company having seventeen Bales of fine *Italian* Thrown-Silk in *Amsterdam*, brought thither over-land before the Conclusion of the Peace, and designed to be imported and used here in the Manufacture of Alamodes and Lustrings, but could not be imported within the Time limited by Law, it is enacted, That the said Company may import into this Kingdom the said seventeen Bales of Silk before the 29th of *September* next, paying the legal Duties to his Majesty.

CCXX. Stat. 9 & 10 *W.* 3. cap. 44. Enacted, That there shall be through *England* and *Wales*, and Town of *Berwick upon Tweed*, levied and paid to his Majesty, his Heirs and Successors for Salt (over and above all other Duties already payable) these additional Duties, viz. five Pence per Gallon for all Salt imported from the first Day of *July*, 1698, to the 25th of *December*, 1699. And from the 24th of *December*, 1699, for ever, seven Pence per Gallon, and so for a greater or lesser Quantity.

CCXXI. For

CCXXI. For all Salt and Rock Salt Home-made, from the said first of July, 1698, to the 25th of December, 1699, two Pence Halfpenny *per* Gallon, and from the 24th of December, 1699, for ever, three Pence Halfpenny *per* Gallon; subject to the Redemption hereafter mentioned.

CCXXII. Which Duties on Foreign Salt shall be paid by the Importer before Landing; and if landed before due Entry thereof, or before the Duties be paid, or a Warrant for the landing thereof, then to be forfeited, and also ten Shillings for every Bushel so landed.

CCXXIII. Provided that the Importers of Salt giving Security for Payment of these Duties, shall have six Months Time for Payment, with a Discount after ten Pounds *per Cent. per Annum* for prompt Payment.

CCXXIV. The said Duties on Salt to be managed by the Commissioners of Excise, who are to appoint the necessary Officers, and the Penalties and Forfeitures hereby imposed, to be sued for and recovered by the same Ways as directed by the Act 12 Car. 2. For taking away the Court of Wards and Liveries and Tenures in Capite, and by Knights-Service and Purveyance, and settling a Revenue on his Majesty in Lieu thereof, or by any Law now in Force, relating to the Excise.

CCXXV. All Makers and Proprietors of Salt and Rock Salt within this Kingdom, shall make true Entries with the Officers so appointed, and shall have their Warrant *gratis*, for carrying the same away, upon Payment, or Security to pay the Duties within six Months after such Entry, with a Discount after ten Pounds *per Cent. per Annum* for ready Money.

CCXXVI. The Officers so appointed may seize all such Salt, as after the first of July, 1698, shall be conveying away before due Entry made, or Warrant obtained for conveying thereof; And if not claimed within ten Days, then to be absolutely forfeited and sold, one Moiety of the Proceed thereof to go to the King, the other to the Seizer: And if claimed without Proof upon Oath before the next Justice of Peace, that the same was duly entred, and a Warrant for Conveyance obtained, it shall likewise be forfeited: And the Persons so carrying the same away shall forfeit to his Majesty double the Value, and also ten Shillings *per* Bushel.

CCXXVII. No Retailer or Shopkeeper shall ship any Salt for any Port of this Kingdom, before Oath, or other Proof made, before the Collectors, that the Duty is paid or secured.

CCXXVIII. Masters of Ships carrying Salt or Rock Salt from one Port to another, shall before they have a Warrant for landing it, deliver to the Collectors Particulars thereof upon Oath, and that no more hath been landed since their coming out of Port; and upon landing any Part thereof at any other Port, shall

shall have a Certificate thereof, or forfeit double the Value so landed, and also ten Shillings per Bushel.

CCXXXIX. No Fees shall be taken for Debentures, Tickets, Warrants or Licences touching the said Duties.

CCXXX. Provided that for Fish exported there be allowed (over and above all former Allowances) for every Cask of Pilchards or Scads from the first Day of July, 1698, to the 25th Day of December, 1699, twenty Shillings; and after the 24th Day of December, 1699, twenty-eight Shillings. For every Barrel of White Herrings, from the first Day of July, 1698, to the 25th Day of December, 1699, four Shillings and two Pence; and from the 24th Day of December, 1699, five Shillings and ten Pence. For every Barrel of Red Herrings, from the first Day of July, 1698, to the 25th Day of December, 1699, three Shillings and four Pence, and after the 24th Day of December, 1699, four Shillings and eight Pence. For every Barrel of Salmon, from the first Day of July, 1698, to the 25th Day of December, 1699, eight Shillings and four Pence, and after the 24th Day of December, 1699, eleven Shillings and eight Pence. For every Hundred of Cod-fish, Ling or Hake, after the first Day of July, 1698, and before the 25th Day of December, 1699, twenty-five Shillings, and after the 24th Day of December, 1699, thirty-five Shillings. For every Last of dried Red Sprats, after the first Day of July, 1698, six Shillings and eight Pence.

CCXXXI. Which Allowances shall be paid by the Salt-Collector, in the Port from whence such Fish is exported, within thirty Days after Demand, upon a Debenture duly verified, and Oath made that the Fish was *English* taken, and really exported beyond Sea: And if the Collector have not sufficient Money to pay the same, upon his Certificate the Commissioners of Excise shall be chargeable therewith out of the first Money in their Hands on the said Salt Duties; and any Officer neglecting or refusing to pay the said Money, or give such Certificate, shall forfeit double the Sum payable.

CCXXXII. Upon exporting any Salt, Foreign or *English*, or Rock-Salt, the Officer where such Salt was made or imported, Duty paid or secured, shall deliver Certificates thereof *gratis*, and the Officer at the Place of Exportation, shall thereupon give a Debenture for Repayment of the Duty by the Officer where it was before paid or secured.

CCXXXIII. All Salt imported or brought into *England*, *Wales* or *Berwick*, not there made, shall pay as Foreign Salt, and *Scotch* Salt brought into *England* by Land, shall be entred at *Carlisle* or *Berwick*, under Forfeiture of double the Value, and also ten Shillings per Bushel.

CCXXXIV. Persons sued for any Thing done in pursuance of this Act may plead the General Issue, and give the Act in Evidence.

dence, and if the Plaintiff be cast, nonsuit, or forbear Prosecuting, the Defendant shall have double Costs.

CCXXXV. No Writ of *Certiorari* shall supersede the Orders of the Commissioners of Excise, or Justices of Peace, touching the Duties on Salt.

CCXXXVI. No Salt shall be delivered from any Salt Works, without Notice given to the Officer, on Pain of Forfeiture, and also ten Shillings *per* Bushel, one half to the Prosecutor, the other to the King.

CCXXXVII. If any exported Salt, after the Duty has been repaid, be landed in this Kingdom, before the Duty be again paid, the Offender shall forfeit double the Value thereof and ten Shillings *per* Bushel.

CCXXXVIII. Subjects of this Realm shipping Salt for any Part of *England* in a Ship perishing at Sea, or taken by Enemies, upon Proof thereof before the Justices in Session, of the Loss of such Salt, shall be allowed to buy the like Quantity without Duty.

CCXXXIX. Salt-Rock or Rock-Salt, after Entry and a Warrant, may be removed to convenient Warehouses, and the Duty need not to be paid or secured till sold and delivered.

CCXL. No Person shall be obliged by any Contract made before the 25th of *December*, 1698, to deliver any Salt or Rock-Salt, unless the Buyer pay the Duty.

CCXLI. Salt-Rock or Rock-Salt shall be entred by Weight only at one hundred and twenty Pound-weight to the Bushel.

CCXLII. Refiners of Rock-Salt, which had paid the Duty, shall have an Abatement (over and above any former Allowances) of two Shillings and four Pence *per* Bushel.

CCXLIII. The Charges of managing this Duty on Salt, may be paid out of the said Duties.

CCXLIV. Salt made from Rock-Salt (allowing the Drawback) and all refined Salt imported or made in *England*, is to be charged with the said Duties.

CCXLV. All Salt (except Rock-Salt) shall be ascertained as to the Duty at fifty-six Pound-weight to the Bushel.

CCXLVI. All Salt brought from *Scotland*, and all imported and Home-made Salt brought in or landed before due Entry, shall be forfeited, and ten Shillings *per* Bushel.

CCXLVII. The Collectors of the said Salt Duties shall provide Scales at every Salt-work; and Persons living near such Salt-works or Salt-pits shall be sworn Weighers, and paid for the same by the Collectors.

CCXLVIII. The Officers shall deliver as many Warrants or Permits to Salt-Carriers as they desire, *gratis*, for what they shall load at one Time.

CCXLIX. All

CCLIX. All Persons shall sell Salt (except Foreign Salt) after fifty-six Pound-weight to the Bushel, under Penalty of five Pounds to the Informer.

CCL. The Lord Mayor and Court of Aldermen in London, shall by the 10th Day of July, 1698, ascertain the Price of Salt within the City of London and Bills of Mortality; and the Justices of Peace in their General Sessions for other Places by the first of August, 1698: And so from Time to Time if necessary; and Persons selling for higher Prices, or refusing to sell at the Prices settled, shall forfeit 5 *l.* to be levied by Distress and Sale of Goods, by Warrant from the Lord Mayor aforesaid, or a Justice of Peace of the Place, who in Default of a Distress may imprison the Offender till Payment thereof; one Moiety to the King, the other to the Prosecutor.

CCLI. The Commissioners of Excise, and Commissioners for the Stamp-Office respectively, shall keep apart and pay weekly into the Exchequer the Duties on Salt by this Act granted, and the additional Duties on stamp Vellom, Parchment and Paper (granted to his Majesty, his Heirs and Successors, by an Act of this present Session) and a distinct Register thereof shall be kept in the Exchequer.

CCLII. The Commissioners for managing the said Duties, not paying the same duly into the Exchequer, or misapplying any Part thereof, shall forfeit their Places, and be incapable of any Place of Trust, and pay double the Value so misapplied.

CCLIII. In the Excise and Stamp-Office, these shall for ever be Commissioners and Controllers for the Execution of this Act; which Controllers shall keep distinct Accounts of the said Duties, and in case of Neglect shall lose their Places, be incapacitated, as aforesaid, and forfeit one hundred Pounds.

CCLIV. Collectors of either of the said Duties, detaining any Part thereof, shall be dismissed, pay Interest, and 12 *l.* per Cent. and treble Damages; and for misapplying any Part thereof, shall be dismissed and incapacitated, and shall forfeit double the Sum.

CCLV. From the 29th Day of September, 1698, one hundred and sixty thousand Pounds out of the said additional Duties on Salt and stamp'd Paper, shall be the yearly Fund for answering the Annuities of eight per Cent. to the Subscribers of twenty hundred thousand Pounds. And if the Duties shall not amount to so much, then to be Part of the said Fund; so far as they will extend; which said Duties, or so much as will make up the said one hundred and sixty thousand Pounds per Annum, shall be appropriated towards making good the said yearly Fund; and the Officers of the Exchequer, not duly issuing, or misapplying the Money contrary to this Act, shall be forejudged from their Offices, incapacitated, and pay double the Sum delayed or misapplied.

CCLVI. His Majesty may appoint Commissioners for taking Subscriptions till the 29th Day of *September*, 1698, from any Person (except the Bank of *England*) for any Sum not less than one hundred Pounds, towards the raising two Millions, in some convenient House in *London* or *Westminster*; which Commissioners are to provide Books for the said Subscriptions, to lie open every Day (except *Sunday*) till the 29th of *September*, 1698, unless the two Millions be sooner compleated; and his Majesty may appoint a Cashier to receive the Money subscribed.

CCLVII. Any Sum may be subscribed (not less than one hundred Pounds) to be answered by ten equal Payments, the first Payment to be made at the Time of subscribing, and each subsequent Payment shall be made at the End of every two Months (or sixty Days) till the whole be paid; nevertheless the last Payment shall be liable to make good any Deficiency which may happen (before the Time of making the last Payment) in the Produce of the said Duties, although the King's intended Supply be thereby lessened.

CCLVIII. If the first Payment be not made at the Time of subscribing, such Subscription shall be void; and if Default be made in any of the subsequent Payments, the first tenth Part shall be forfeited, and the Annuity payable for such Subscription shall be reduced according to the Money actually paid, and an Abatement of the first tenth Part.

CCLIX. Tallies of Assignment or Anticipation may be levied on the Commissioners or Receivers of the Money so subscribed, with an Interest of eight *per Cent. per Annum*, payable every three Months out of such Subscription-Monies.

CCLX. The Sums subscribed are to be written in Words at Length as well as Figures, and truly dated, and attested under the Hands and Seals of five or more Commissioners, who immediately after the 29th of *September*, 1698, or sooner, if the two Millions be compleated, shall deliver Duplicates of the Subscriptions into the Exchequer, or at least before the 20th of *October*, 1698. And the Auditor of the Receipt and Clerk of the Pells shall register and record the said Duplicates, that every Person concerned may have free Access thereto; and Copies of the Books inrolled shall be delivered by the said Auditor and Clerk of the Pells to the Commissioners, for the Use of the Subscribers, *gratis*.

CCLXI. Each Subscriber shall have an Annuity at the Rate of eight *per Cent. per Annum* for the Sum subscribed by him, to commence from *Michaelmas*, and to be paid quarterly, the first Payment to be made at *Christmas*, 1698, subject nevertheless to Redemption, and also to Reduction, in case of Failure in the Payments of the Subscription-Money.

CCLXII. Every Person paying down one tenth Part of his Subscription, may default after the Rate of ten *per Cent. per An-*

was, for his whole Subscription, from the Time of making his first Payment till *Michaelmas*, 1698.

CCLXVII. The Commissioners or Cashier shall give Receipts to the Subscribers for the Money so received, and shall enter the same and Time of Payment in a Book, with the Names of those that make such Payments; a true Account whereof in Parchment shall be delivered to the Auditor of the Receipt, attested by five or more of the Commissioners before the 24th of *June*, 1700. And the Commissioners of the Treasury are to issue the Sums necessary for incident Charges in Execution of the Commission.

CCLXIV. The Commissioners may be Subscribers.

CCLXV. His Majesty may, by Letters Patents under the Great Seal, incorporate the Subscribers, whose tenth Part shall be paid their Executors, Administrators, Successors or Assigns, with perpetual Succession; and a common Seal, and with Power to purchase Lands, to plead and be impleaded, and do all other Things by the Name of their Corporation.

CCLXVI. The Sum Total of all the Subscriptions shall be called the principal Stock of the said Corporation; and all Persons shall have a Share therein in Proportion to their Subscription.

CCLXVII. Subscribers of five hundred Pounds and upwards, having paid their tenth Part, may meet at *Guildhall* in *London*, on the 20th of *October*, 1698, or within twenty Days after the Subscription is completed, to elect twenty-four Trustees by way of balloting; but no Elector to have more than one Vote, nor any of the Trustees less than two thousand Pounds, subscribed in their own Right, and being so elected, to be inserted in the Charter of Incorporation as the first Trustees with Succession.

CCLXVIII. If the two Millions be not subscribed by the 29th of *September*, 1698, the Subscribers shall have only their proportionable Part of the said yearly Fund.

CCLXIX. After the Charter is passed, the yearly Sum of one hundred sixty thousand Pounds, or a proportionable Part thereof, shall be paid to the General Society, or their Treasurer, in Trust for the respective Members.

CCLXX. If the two Millions, or a Moiety thereof, be subscribed by the 29th of *September*, 1698, then the Subscribers, their Executors, Administrators, Successors or Assigns, and all Persons licensed by them in their Stead, may trade to the *East-Indies*; but none to trade by himself, or others, in any one Year, from the 29th of *September*, 1698, for more than the Amount of his Stock.

CCLXXI. If the two Millions, or a Moiety thereof, be subscribed by the 29th of *September*, 1698, all or any Corporations or Persons intitled to particular Shares in the principal Stock, may, if willing and desirous, be incorporated into a Company to trade with a joint Stock in Proportion to their Interests, by

such

such proper Name as his Majesty shall think fit, with perpetual Succession, a Common Seal, &c.

CCLXXII. And after the incorporating of any such Company, the proportionable Part of the yearly Fund belonging to the Members thereof, shall be paid to the said Company or their Treasurer, in Trust for the said Members, by weekly Payments.

CCLXXIII. Every Member of the general Society, not in a Company, shall, before he be permitted to trade, take an Oath before two or more of the Trustees, to be faithful to the said General Society, and not to trade to the *Indies* for more than this Act allows.

CCLXXIV. And all Persons trading by Licence, shall enter their Licences in the Books of the General Society, and take an Oath to the like Effect. And no Member of any Company, having Power to trade thither, during his Continuance in the said Company, shall trade otherwise than in the joint Stock thereof. And every Member of such Company shall take an Oath before two or more of the Trustees for the said Company to be faithful, and not to trade to the *Indies* (during his Continuance in the said Company) upon any private Account. And no Person shall be intrusted to trade upon the joint Stock, or for a Company, before he hath taken an Oath to be faithful to such Company, and not to trade thither, but for the Account of such Company.

CCLXXV. Provided that Quakers may, instead of an Oath, make a solemn Declaration to the same Effect.

CCLXXVI. All Persons trading to the *East-Indies*, in pursuance of this Act (except in a Company) shall enter the Goods they export in a Book, before the lading thereof, with the Ship and Master's Name, that all Persons concerned may see whether they trade for more than is allowed; which Entries shall be upon Oath, or solemn Affirmation made before two or more Trustees for the General Society till a Company be erected, and then before two or more Directors of such Company.

CCLXXVII. The General Society and Companies in joint Stock, may be empowered by his Majesty's Charters to make By-Laws for the Good of the said Trade.

CCLXXVIII. Persons not making true Entries and Affirmations shall forfeit the Goods exported or designed to be exported, and the Proceed thereof, and double the Value, to be divided as the Charters shall appoint.

CCLXXIX. No Company or particular Person shall trade to the *East-Indies* before Security given to the Commissioners of the Customs, That all the Goods to be laden by or for them in the *Indies*, shall be brought to *England* without breaking Bulk, the Danger of the Seas, Pirates, &c. excepted; and any Difficulties or Disputes in Acceptance of such Security, shall be determined by any of the Barons of the Exchequer. As to this last Clause see 6 A. cap. 3. post Sect. 368.

CCLXXX. All Goods imported by the Company or other Traders to the *East-Indies*, shall be sold openly by Inch of Candle, on Pain of forfeiting the same or the Value thereof, one Moiety to his Majesty, the other to the Prosecutor.

CCLXXXI. His Majesty's Commission or Charters shall direct in what Manner the Shares in the yearly Fund, and in the Stock in Trade, shall be assigned or transferred.

CCLXXXII. The Stocks shall be esteemed in Law personal Estates, and descend accordingly.

CCLXXXIII. The Annuities issuing out of the yearly Fund, and the Shares in Trade, shall be exempt from Taxes.

CCLXXXIV. A Guardian or Trustee for an Infant, may subscribe a Moiety of the Money in his Trust.

CCLXXXV. No Member of any Society or Company, within this Act, shall in respect of his Stock only be adjudged a Bankrupt; nor the Stock liable to Foreign Attachment.

CCLXXXVI. The General Society, nor any Company established in pursuance of this Act, shall borrow or give Security for any Sums on Credit of the Funds by this Act granted; nor borrow, owe or give Security for any other or greater Sums than shall be employed in their Trade, (which shall be borrowed only on their Common Seal, and not repayable in less than six Months) nor discount any Bills of Exchange, or other Bills or Notes, or keep Books or Cash for any Persons whatsoever, other than their own Corporation or Society.

CCLXXXVII. An additional Duty of 5 per Cent. shall be laid on all *East-India* Goods imported after the 29th of September, 1698, by any Persons trading pursuant to this Act, to be paid over to the General Society, or such Companies as may be erected, or their respective Treasurers, for maintaining Ambassadors, and defraying any other extraordinary Expences; the Overplus to be disposed to the Benefit of all the Members.

CCLXXXVIII. And Security shall be given before Landing thereof, for Payment of the said additional Duty of five per Cent. as soon as the Goods shall be sold: And Goods landed before due Entry, and the Duty secured, or without Warrant, shall be forfeited, one Moiety to the King, the other to the Seizer.

CCLXXXIX. The said Duty of five per Cent. to be managed by the Commissioners of the Customs, and paid over as the Act appoints.

CCXC. Upon three Years Notice, after the 29th of September, 1711, and Repayment by Parliament of the said two Millions, or such Part thereof as shall be advanced, and all Arrears of the said Annuities; then all Duties, Annuities and Things granted by this Act to cease and determine. By 6 A. cap. 17. The Notice in this Sect. not to be given till after the 25th of March, 1716. And this Clause repealed. See after Sect. 296.

CCXCI. All wrought Silks imported from the *East-Indies* or *Persia*, after the 29th of September, 1699, shall pay an additional Duty of one Shilling ten Pence per Pound-weight *Avoir du poiz*.

CCXCII. The Persons who may trade to the *East-Indies*, pursuant to this Act, shall have the sole Trade thither after the 29th of September, 1698. And any other Person trading thither, shall forfeit Ship and Goods, and double the Value thereof, one fourth Part to the Prosecutor, the other three Parts to the General Society or Company, they bearing the Charge of Prosecution.

CCXCIII. If in any one Year after the 29th of September, 1699, the Duties by this Act appropriated, be not sufficient to satisfy the Payments appointed, such Deficiency shall be made good out of the next Parliamentary Aids.

CCXCIV. Provided that the present *East-India* Company may trade thither till the 29th of September, 1701. And that Ships not in the Service of the said Company, which were cleared from *England* to the *East-Indies*, before the first of July, 1698, (so as they return into this Kingdom without breaking Bulk in *Europe*) shall not be liable to Forfeitures.

CCXCV. The present *East-India* Company shall pay their just Debts, and their Estate shall be liable thereunto; and if they make any Dividend after 24 June, 1698, before full Payment of their Debts, the respective Members shall be liable so far as their Shares upon such Dividends shall extend to pay, besides double Costs of Suit.

CCXCVI. Every Society or Company to be created in Pursuance of this Act, shall take care not to owe at any one Time more than the Value of their Capital Stock undivided; and if by any Dividends their Debts at any Time exceed their Capital Stock, the respective Members shall be liable so far as the Shares they received upon such Dividends will extend, besides Costs of Suit.

CCXCVII. Out of the Monies contributed on this Act, or arising by any other Act of this Session, not particularly appropriated, there shall be applied, To the Use of the Mints 191091. For the Civil Government 400000 l. over and above the 600000 l. appropriated by the present Poll-Bill for paying of Tallies, &c. And also such Sums as may be necessary to satisfy the *Premiums* for circulating Exchequer-Bills, and the rest to be disposed for Land and Sea-Service; and the Commissioners of the Treasury are to cause the same to be applied accordingly.

CCXCVIII. The Rules and Penalties contained in the Act 2 W. & M. for an Aid of two Shillings in the Pound, for the speedy Payment of Money into the Exchequer, and Misapplication thereof, are hereby revived.

CCXCIX. After the 10th of July, 1698, the Commissioners of the Treasury (if it consist with his Majesty's Service) may direct Bank-Bills to be received in all Payments to the King, until the End of next Session of Parliament; but not when they are at any Discount,

Discount. *Per 5 A. cap. 17.* continued till 26 *March*, 1726, and then upon three Year's Notice and Repayment, to cease. See after *Sec. 391.*

CCC. Stat. 10 & 11 W. 3. cap. 6. After the 25th of *March*, 1699, every Subject of this Realm desiring Admission into the Fellowship of *English* Merchants commonly called the *Russia* Company, on Request made to the Governor, Consuls and Assistants of the said Fellowship, or three or more of them, shall be admitted into the said Fellowship, and enjoy all Privileges, &c. granted thereunto, either by the Letters Patent *Anno 1 & 2 Ph. & M.* or by the Act of Parliament of 8 *Eliz.* confirming the same, paying for such Admission, for the Use of the said Fellowship only, the Sum of five Pounds.

CCCI. And after the said 25th of *March*, the Sum of five Pounds only shall be taken by the said Fellowship for any Admission to the Freedom thereof.

CCCI. Every Person residing in any Out-Port or other Place within this Realm, making Request to be admitted into the said Fellowship by his Agent or Deputy, and tendering five Pounds for his Admission, the said Governor, &c. shall under the Common Seal of the said Fellowship, within ten Days after such Request, appoint one or more Persons to admit him into the Freedom of the said Fellowship, and to give him the Oath of a Freeman thereof.

CCCI. The Commissioners of the Customs shall every Session of Parliament lay before both Houses an Account under their Hands of the Naval Stores imported into this Kingdom by any Persons trading to *Russia*.

CCCI. Stat. 10 & 11 W. 3. cap. 25. From hence forth all his Majesty's Subjects residing within this Realm, or the Dominions thereunto belonging, trading to *Newfoundland*, and the Seas, Rivers, &c. in and about the same, or the Islands adjacent, shall have free Trade and Fishery to and from *Newfoundland*, and the Freedom of taking Bait and Fishing in any of the said Seas, Rivers, Lakes or Places, and to go on Shore there for the curing their Fish, and making Oil, and to cut down Wood for making and repairing of Stages, Ship-rooms, Train-saws, Hurdles, Ship-boats, and other Necessaries: But that no Alien shall hereafter take any Bait, or use any Trade of Fishing in *Newfoundland*, or the Islands or Places before-mentioned.

CCCI. After the 25th of *March*, 1700, no Ballast, Prest, Stones, or other Annoyance to the Harbours there, shall be thrown out of any Ship or otherwise, but carried on Shore.

CCCI. No Person shall destroy or deface any such Stage or Cook-room, or any Thing thereto belonging, but shall use such only

only as are needful for him, and leave the same undamaged, repairing them with Timber fetch'd out of the Woods.

CCCVII. Every Fishing-ship from *England, Wales* or *Berwick*, or the Fishermen thereof, as shall after the said 25th of *March* first enter any Harbour or Creek in *Newfoundland*, shall be Admiral of the said Harbour for that Season, and shall reserve to himself only so much Beech or Flakes as are needful for his Boats, and one over; and the Master of the second Ship so entering, shall be Vice-Admiral, and of the third, Rear-Admiral; and the Persons possessed of several Places in several Harbours or Creeks there, shall choose which they will abide in, within forty-eight Hours after Demand of any After-Comer. And in case of any Difference, the Admirals of the respective Harbours, or any two of them, shall settle the same.

CCCVIII. All Persons who since the Year 1685, have seized or detained any such Stage, Cook-Room, Beech, or other Place for raking Bait, Fishing, or curing of Fish, shall before the said 25th of *March*, quit the same to the publick Use of the Fishing-Ships arriving there.

CCCX. No Fisherman or Inhabitant in *Newfoundland*, or other, shall after the said 25th of *March*, seize or possess any such Stages, &c. which since the Year 1685 did, or shall hereafter belong to any Fishing-Ships, before the Arrival of the Fishing-Ships from *England*, and until such Ships be provided with Stages, &c.

CCCX. But such Persons as since the 25th of *March*, 1685, have built, or hereafter shall build or make any Houses, Stages, &c. for Fishing there, that did not belong to Fishing-Ships since the said Year, 1685, shall quietly enjoy the same.

CCCXI. No By-Boat-keepers shall meddle with any House, Stage, &c. that did not belong to Fishing-Ships since the said Year 1685, or shall be made by Ships after the 25th of *March*, 1700.

CCCXII. Every By-Boat-Master shall carry with him at least two fresh Men in Six, viz. one that hath made but one Voyage, and one who hath never been at Sea before; and every Inhabitant shall employ two such fresh Men for every Boat kept by them; and the Masters of the Fishing-Ships shall carry with them one such fresh Man that never was at Sea before, in every five Men they carry: And the Masters of such By-Boats, and Fishing-Ships shall make Oath before the Collector or principal Officer of the Customs of the Port they sail from, that they have such fresh Men as this Act directs, of which they shall have a Certificate gratis.

CCCXIII. Every Master or Owner of any Fishing-Ship going to *Newfoundland* (after the 25th of *March*, 1700,) shall have every fifth Man a green Man, never at Sea before.

CCCXIV. No

CCCXIV. No Persons shall, after the said 25th of *March*, deface or alter the Mark of any Boat or Trainfat to defraud the Owner thereof, or convert the same to their own Use, or remove or take away the same, without giving Notice to the Admiral of the Harbour.

CCCXV. No Persons shall, after the said 25th of *March*, kind any Trees there growing, nor set on fire any of the Woods, or damage the same, except for necessary Fuel for the Ships and Inhabitants, and the Building and necessary Repairs of Houses, Ships, Boats, Trainfats, and of the Stages, Cook-Rooms, Beeches, &c. nor cast Anchor nor annoy the Haling of Sayns in the accustomed baiting Places, or shoot their Sayns upon the Sayns of others, or steal the Nets or Bairs of others.

CCCXVI. All Robberies, Murders and Felonies, and other Capital Crimes committed after the said 25th of *March*, on the Land in *Newfoundland*, or in any of the Islands thereof (heretofore adjudged triable only before the Lord High Constable and Earl-Marshal of *England*) shall and may be tried in any County of *England*, by the King's Commission of Oyer and Terminer, and Gaol-Delivery.

CCCXVII. The Admirals in every Port and Harbour in *Newfoundland*, are to see the Rules and Orders of this Act for the Regulation of the Fishery duly put in Execution; and to keep a Journal of all Ships, Boats, Stages, Trainfats and Seamen in their respective Harbours, and (at their Return to *England*) deliver a Copy thereof to the Privy Council.

CCCXVIII. Differences arising in *Newfoundland* between the Masters of Fishing-Ships and the Inhabitants there, or the By-Boat-keepers about the Fishing-Rooms, Stages, &c. shall be determined by the Fishing-Admirals in the several Harbours, an Appeal being reserved to the Commanders of the Men of War, appointed Convoys for *Newfoundland*.

CCCXIX. The Inhabitants of *Newfoundland*, and the Islands and Places adjacent, shall strictly observe every Lord's Day, or Sunday; and the Inhabitants who keep publick Houses, shall not on that Day sell or utter any Wine, Beer, Ale, Cyder, Strong-Waters or Tobacco, or other Liquors.

CCCXX. All Whale-fins, Oil and Blubber, taken and imported by the *Greenland Company of London*, shall not be liable to the additional Duty of twelve Pence for every twenty Shillings Value, of Goods imported, charged in the Acts made *Anno 8 & 9 W. 3. c. 24.* and *Anno 10 W. 3. c. 23.* but that the same and all Whale-fins, Oil and Blubber, of *English* Fishing taken in the Seas of *Newfoundland*, or any of the Seas belonging to his Majesty's Plantations or Colonies, and imported by his Majesty's Subjects in *English* Shipping, are declared to be free of the said Duties, as all Fish of *English* taking.

CCCXXI. Stat.

CCCXXI. Stat. 11 & 12 W. 3. cap. 10. For the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom, it is enacted, That after the 29th of September, 1701, all wrought Silks, Bengals and Stuffs mixed with Silk or Herba of the Manufacture of Persia, China or East-India, and all Callicoes painted, dyed, printed or stained there, which are or shall be imported into this Kingdom, shall not be worn within the same.

CCCXXII. But that after the said 29th of September, all such wrought Silks, &c. so imported, shall be entred and carried to Warehouses appointed by the Commissioners of the Customs, and not taken thence, but in order for Exportation, giving Security that the same shall be exported, and not landed again in this Kingdom; which Securities shall be discharged upon authentick Certificates or Proof of their being landed abroad, &c.

CCCXXIII. And all such Goods mixed with others, or made up for Sale, found in any Place (except in such Warehouses) shall be forfeited and seized as prohibited and unaccustomed Goods, and carried to the next Custom-house, and (being condemned) sold by the Candle for Exportation only, whereof one Third of the Monies to go to the King, and the other two Thirds to the Seizer or Prosecutor: And the Person having or selling the same, shall besides forfeit two hundred Pounds, one Third to the King, and two Thirds to the Prosecutor.

CCCXXIV. If any Persons after the said 29th of September, 1701, shall bring into any Ports of this Kingdom (except London) any of the said Goods, or into the Port of London, without making due Entries thereof, shall forfeit the said Goods, and five hundred Pounds, to be divided as aforesaid.

CCCXXV. The Proof where the said Goods were manufactured shall lie upon the Owner. Persons prosecuted for Seizures, or other Things done in pursuance of this Act, may plead the general Issue, and give this Act, and the special Matter in Evidence; and if the Plaintiff be nonsuit, &c. the Defendant shall have treble Costs.

CCCXXVI. The Warehouse-keepers shall enter in Books a true Account of the said Goods brought in and carried out, and give the Commissioners an Account thereof in Writing upon Oath every six Months, and how much shall remain in the said Warehouse, which within a Month after shall be inspected and examined, and a true Account of the same laid before the Parliament, within the first Week of every Session.

CCCXXVII. And if any of the said Goods were carried out (unless for Exportation) or before Security given for their Exportation, such Warehouse-keeper to forfeit the Value of the Goods, and five hundred Pounds, and to be disabled from any publick Employment.

CCCXXVIII. A

CCCXXVIII. A Proviso for such of the said Goods as shall have been made up and used in Apparel or Furniture before the said 29th of September, 1701.

CCCXXIX. The Proprietors of the said Goods so lodged in the Warehouses, may affix one Lock to every such Warehouse, and may view, sort or deliver the said Goods for Exportation in the Presence of the Warehouse-keeper.

CCCXXX. Persons importing any such Goods on or before the 29th of September, 1701, and exporting the same again within three Years after, shall be allowed the several Duties, as if exported within twelve Months.

CCCXXXI. After the said 29th of September, 1701, no Duties shall be paid upon importing the said Goods, except the Half-Subsidy, which is to remain after the Goods are exported.

CCCXXXII. Stat. 11 & 12 W. 3. cap. 11. enacted, That at the End of the three Months, to commence from the Time of taking off the Prohibition of the English Manufactures in Flanders, the Act made Anno 9 & 10 W. 3. cap. 9. intituled, *An Act for rendering the Laws more effectual for preventing the Importation of Foreign Bone-Lace, Loom-Lace, Needle-work, Point and Cut-work, and every Clause, Matter and Thing therein contained, shall be repealed.*

CCCXXXIII. Stat. 11 & 12 W. 3. cap. 20. enacted, That after the 30th of March, 1700, the Subsidies and Duties upon the Exportation of any long Cloths, short Cloths, Kerseys, Bays, or Serges, Cottons, Stuffs, Stockings, Hats, Caps, or other Manufactures of Wool, manufactured within this Kingdom, payable by the Act of Tonnage and Poundage, Anno 12 Car. 2. and the Book of Rates thereunto annexed, (except what was taken away, as to Aliens Duties, Anno 25 Car. 2.) which Subsidies and Duties are by an Act of 8 W. 3. for making good the Deficiencies of several Funds, &c. to continue till the first of August, 1706, or payable by the Act Anno 14 Car. 2. for preventing Frauds, and regulating Abuses in the Customs, (whereby a further Duty of one per Cent. is charged on the Woollen Manufactures exported to the Mediterranean beyond Malaga, under certain Circumstances in that Act mentioned) shall cease and determine, and be no longer paid.

CCCXXXIV. And that the Subsidy and Aulnage of all Woollen Manufactures within this Kingdom, shall, after the Determination of the two Grants or Leases of the said Duties to Charles Duke of Richmond and Lenox, for sixty Years, from the 18th of December, Anno 16 Car. 2. cease, determine, and be no longer paid.

CCCXXXV. A Proviso for the Patent granted the 15th of April, 18 Car. 2. to Sir James Hayes, and Sir Peter Apsey, their Executors and Administrators, of which there is about eight Years to come;

come; but that it shall not be in any better Condition than before the making this Act.

CCCXXXVI. After the 30th of May, 1700, the Subsidy and all other Duties upon the Exportation of Wheat, Rye, Barley, Malt, Beans, Pease, and all other Sorts of Corn and Grain, ground or unground, and upon the Exportation of Bread, Biscuit and Meal out of this Kingdom shall cease and be no longer paid. Continued per 1 *Ann. cap.* 13. till 1 August, 1710. Continued per 5 *Ann. cap.* 27. till 1 Aug. 1712.

CCCXXXVII. Stat. 12 W. 3. *cap.* 4. The Cities of York, Exeter, Bristol, Chester and Norwich, appointed for assaying and marking wrought Plate.

CCCXXXVIII. Goldsmiths, Freemen of and for the said Cities respectively (who have served an Apprenticeship) are incorporated and authorized annually to choose in each City two Wardens; and if a Warden die or remove, the respective Companies to choose another in a Month.

CCCXXXIX. No Goldsmith to make any Manufacture in Silver, less in Fineness than the Standard, nor put it to Sale or Exchange, until marked with the two first Letters of the Worker's Surname, a Lion's Head erased, the Figure called *Britannia*, and the Arms of the Place where assayed and marked, and a Mark or Letter in Roman Character, annually to be changed upon Election of the new Wardens, to denote the Year when new made; upon pain of all such manufactured Silver (except such as by reason of the Smallness is not capable of receiving a Touch) shall be forfeited, or the Value thereof, one Moiety to the King, the other to such as sue for the same, by Action of Debt, Bill, Suit, or Information, in any Court of Record, in any County or Place wherein such Offence shall be committed.

CCCXL. There shall be a Man experienced in assaying Gold and Silver, elected by the Company in each City, who may detain eight Grains from every Pound Troy of Silver he shall assay, four Grains whereof are to be put in the Box of Diet, other four to be allowed him towards his Waste in making Assay, who shall take the Oath therein mentioned, *viz.*

CCCXLI. Faithfully to behave himself in the said Office, and to take no undue Profit, except the said eight Grains: And to touch no Gold or Silver, but what shall be according to the Standard, and to set down all Gold, brought to be touched in Writing, and deliver the same again, except the said eight Grains, and make true Account thereof when required by the Wardens, and to make no Assay of Things new wrought before marked with the Mark of the Maker or Owner. And not to put any Silver into the Box, but what is scraped from Plate assayed and passed for Standard.

The Mayors respectively to administer the Oath.

CCCXLII. The Boxes of Diet to be locked up with three Locks, and the respective Keys to be kept by the Wardens and Assayers. The Boxes (if required by the Lord Chancellor or Keeper) to be conveyed to the Tower of *London*, and tried as the Pix of the Coin of the Kingdom. And if in any of the respective Diets Falshood be found, the respective Company to forfeit 50 *l* to be recovered as aforesaid, against the Company, or any Member thereof, in his private Capacity, and be disposed of as aforesaid.

And if any Plate be touched, marked or allowed for good by the Assayer, and in the same Deceit be found, the Assayer to forfeit double the Value, to be recovered and disposed as aforesaid.

CCCXLIII. Every Goldsmith, Plate-worker, &c. in the Kingdom, before he exercise the Trade, to enter his Name, Mark, and Place of Abode with the Wardens of that City where an Assayer is, for which the Wardens are to have no Fee or Reward.

And if such Goldsmith, Plate-worker, &c. enter not his Name, &c. or strike any other Mark than entred, as aforesaid, he forfeits double the Value of the Plate, to be recovered and disposed as aforesaid.

CCCXLIV. Counterfeiter of the Stamps, appointed by this Act, to be used by the said Wardens or Assayers, or the Wardens of the Company of Goldsmiths, *London*, to forfeit 500 *l*. to be recovered and disposed as aforesaid.

CCCXLV. Every Plate-worker inhabiting a Place where no Assayer is, shall first fix his Mark upon all his Plate, (except such as by reason of the Smallness is not capable of the Touch) and then send the same to some City where an Assayer is, and the same shall be assayed there. And if it be found of the Fineness of the Standard, then it shall be marked by the Assayer, who is to be paid a Sum not exceeding 6 *d*. for every Pound *Troy*, and so proportionably for Plate so assayed and marked.

And if any Goldsmith or Plate-worker make any Silver Vessel less in Fineness than Standard, or put to Sale or exchange any such Vessel made after the 29th of *September*, 1701, (unless it be such Things as in respect of their Smallness are not capable of the Touch) before it be assayed and marked, he shall forfeit the Plate, or Value thereof, to be recovered as aforesaid.

The same Privilege given to the Town of *Newcastle* upon *Tyne*, per Stat. 1 Ann. cap. 9. Vide Title Coin.

CCCXLVI. Stat. 1 Ann. c. 15. Water-measure shall be round eighteen Inches and a half Diameter, and eight Inches deep, and no more, and so in Proportion for any greater or lesser Measure.

And

And the Measure by which Apples and Pears are sold, shall be heaped as usually.

And whosoever shall buy or sell with any other Measure, shall forfeit 10 s. half to the Informer, and half to the Poor of the Parish, being thereof convicted by the Oath of one Witness, before any Justice of Peace, Mayor or Head-Officer of the County, City or Town-Corporate where the Offence is committed, to be levied by Distress.

CCCXLVII. Proviso, not to extend to any Measure sealed and allowed by the Company of Fruiterers, London; to be used there, and within three Miles of the same City.

CCCXLVIII. Stat. 1 Ann. cap. 16. After 1 May, 1702, any of her Majesty's Subjects that will adventure to Greenland for fishing for Whales, shall have all Privileges granted to the Greenland Company, per 4 & 5 W. & M. Sess. 4. cap. 17. For regaining, encouraging and settling the Greenland Trade.

CCCXLIX. No Harpioneer or other Foreigner (permitted by the said Act) shall be impressed for her Majesty's Service.

CCCL. Stat. 1 An. c. 17. After the Expiration of 9 W. 3. c. 39. all Silver Wire for making Gold and Silver Thread, shall hold eleven Ounces, sixteen Penny-weight fine Silver upon the Pound Troy.

And Silver gilt to be made Use of by the Wire-drawers, shall hold eleven Ounces, fourteen Penny-weight of fine Silver upon the Pound Troy.

And four Penny and four Grains fine Gold shall be laid upon each Pound of Silver, upon Pain of 5 s. per Ounce upon the Refiner.

CCCLI. After the Expiration of 9 W. 3. c. 30. no gilt Wire shall be coloured with Verdigrease, Dead-head, or any forced Colour, upon Pain of 2 s. 6 d. per Ounce.

There shall be six Ounces of Plate to cover four Ounces of Silk, not running above sixteen Yards to the Penny-weight Troy.

For finer Thread there shall be six Ounces of Plate to cover three Ounces and an half of Silk, not running above thirty-six Yards to the Penny-weight Troy.

For finer Thread there shall be six Ounces of Plate to cover three Ounces of Silk, not running above ninety Yards to one Penny-weight Troy.

For all finer Thread, six Ounces of Plate for two Ounces and a half of Silk.

All Plate shall be spun close upon well-died and light-boiled Silk, except Frost run thin and spun on different coloured Silk, upon Pain of two Shillings and six Pence per Ounce.

Every Spinner that shall lay Plate on Silk, on other Proportions, shall forfeit for every Ounce so spun two Shillings.

CCCLII. After the Expiration of 9 W. 3. cap. 39. all Metals, inferior to Silver, shall be spun on Thread, Yarn or Incle, and not on Silk, upon Pain of five Shillings per Ounce.

CCCLIII. After the Time aforesaid no Gold, Silver, Copper or Brass Thread, Lace, Fringe, or other Work made thereof, shall be imported into this Kingdom, upon Pain of being burnt, and of 100 l. to be paid by the Importer for every Parcel.

CCCLIV. One Moiety of the Penalties on this Act to be to the Queen, the other to the Prosecutor, in her Majesty's Courts of Record at Westminster.

CCCLV. Persons sued for Matters done in Execution of this Act, may plead the General Issue; and if Judgment be for them, they shall have treble Costs.

CCCLVI. Proviso, That Suits brought on this Act shall be commenced within six Months after the Offence.

CCCLVII. This Act to continue seven Years, and from thence to the End of the next Session of Parliament.

CCCLVIII. If after the Expiration of the said Act, any Person sell, or offer to Sale any Orice Lace, mixed with other Materials than Gold, Silver or Silk, they shall forfeit two Shillings and six Pence per Ounce.

CCCLIX. If after the Time aforesaid any Person shall sell any Gold or Silver Wire, Thread-lace, or Fringe, by any other Weight than Troy, he shall forfeit five Shillings per Ounce.

CCCLX. None shall sell Goods mixed with Gold or Silver-Thread, or Plate, contrary to this Act, under Penalty of five Shillings per Ounce.

CCCLXI. Stat. 1 A. Stat. 2. cap. 14. Distillers keeping Places of distilling of English Brandy and Strong-waters from malted Corn, and other Shop keepers dealing more in other Goods than Brandy and Strong-waters, not suffering Tipling in their Houses, as to such the Clause in 12 W. 3. cap. 11. For taking Licences, as Alehouse-keepers, repealed.

CCCLXII. If any import French Brandy, or deliver the same out of the Vessel, the Duty not paid or secured, or without Licence from the Officer, they, their Aiders, Assistants or Concealers thereof shall forfeit the Goods and double the Value, one Moiety (Charges of Suit deducted) to her Majesty, the other to the Informer, in any her Majesty's Courts of Record.

And if the Officer of Customs or Excise connive at, or be concerned therein, or give not Notice to the Commissioners of Customs or Excise, or compound without Licence, he shall be incapable of Office in the Revenue, and forfeit 500 l. to be recovered as aforesaid.

CCCLXIII. Stat. 1 Ann. Stat. 2. cap. 18. If Persons employed in working up Woollen, Linnen, Fustian, Cotton, or Iron Manufactures, imbezil any the Materials they are intrusted with to work on, or reel short or false Yarn, and are convicted thereof by Oath or Confession, they shall forfeit double the Damage to the Poor of the Parish, and be committed to the House of Correction till Satisfaction; and if they be not able to make Satisfaction, then to be whipt, and kept to hard Labour, not exceeding fourteen Days.

CCCLXIV. Persons convict of buying or receiving the said Materials, in Manner aforesaid, shall suffer the like Penalties and Forfeitures.

CCCLXV. Payments to the Workmen and Labourers, for the said Work, shall be in Money, and not by Cloth, Victuals or Commodities.

And Wool delivered them to be wrought, shall be delivered with Declaration of the Weight, on Pain of Forfeiture to the Labourer of double the Value of the Work.

If a Labourer be guilty of such Fraud, or of Default in the Work, he shall answer to the Owner double Damages.

CCCLXVI. All Wages, Demands and Defaults of Labourers, concerning the said Works done, shall be determined by two Justices of the County, &c.

Persons aggrieved may appeal from Order of the Justices to the General Quarter-Sessions held next after Notice of such Order.

The Quarter-Sessions to determine the Appeal, and in case Judgment be against the Appellant, to award Costs.

CCCLXVII. Proviso, That this Act shall continue from June 24. 1703, for three Years, and from thence to the End of the next Session of Parliament.

CCCLXVIII. Stat. 3. A. cap. 8. After the 24th of June, 1703, any Native of England or Ireland may ship in any Port of Ireland in English-built Shipping, whereof one Moiety of the Mariners during the present War, and afterwards the Master and three Fourths of the Mariners at least be English or Irish, any white or brown Linnen Cloth, which shall be of the Manufacture of Ireland, and transport the same into any Plantation, Territory or Place belonging to her Majesty, (except as excepted in the Act of 15 Car. 2. cap. 7.) and there traffick and vend the same.

CCCLXIX. Proviso, That no Ship coming to any such Plantation or Place, shall break Bulk until Notice to the Governor thereof, or Person appointed by him, of the Arrival of such Ship, her Name, and her Master, and shall have delivered to such Governor or Person, a true Invoice of the Lading, with Certificate from the chief Officer of the Port in Ireland, who

laden, of the Particulars of such Lading, the Names and Abodes of the Exporters, and of two Persons who have made Oath before such Chief Officer, that such Linen is of the Manufacture of *Ireland*; and until the Master of such Ship have made Oath before such Governor or Person, That the Goods are the same Goods took on Board by Virtue of such Certificate, nor until such Ship hath been searched.

And in case the Master shall break Bulk before such Notice given, Certificate produced, Oath and Search made, or if on such Search, any Woollen Mannfacture (necessary Apparel excepted) not laden in *England*, or Linen not laden in *England*, nor of the Manufacture of *Ireland*, shall be found, such Ship and Furniture thereof, and all Goods found therein, shall be forfeited, one Third to her Majesty, one Third to such Governor, if such Ship be there seized, informed against or sued for (if not, that Third also to her Majesty) the other Third to him that sues for the same.

CCCLXX. Ships coming from *Ireland* to any such Plantation or Place, shall be subject to the same Rules, Searches and Penalties as Ships coming thither from *England* are.

CCCLXXI. That all Persons who shall after the 25th of *March*, 1705, import into *Ireland* Linen of the Manufacture of *Scotland*, shall forfeit 20 s. per Yard and the Linen.

This last Section, and other Matters in this Act depending upon it, seems to be repealed by 5 A. cap. 8. See *Scotland*.

CCCLXXII. Persons sued by reason of any Seizure made in Pursuance of this Act, may give this Act and the special Matter in Evidence, and if Judgment be against the Plaintiff, the Defendant shall have double Costs.

CCCLXXIII. Suits for Offences against this Act are to be brought in a Twelve-month after Discovery of such Offence.

CCCLXXIV. Proviso, If any Ship laden in *England* for the Plantations, shall put into any Port in *Ireland*, and take in such *Irish* Linen, that the like Certificate and Oaths shall be made; and such Certificate and Oaths being made, such Ship, her Master and Lading, shall be subject to such Rules, Searches and Penalties only as they were before the passing this Act.

CCCLXXV. Proviso, That this Act shall continue only for eleven Years.

CCCLXXVI. Stat. 3 A. cap. 13. After the 25th of *March*, 1705, no Goods of the Growth, Product or Manufacture of the Dominions of the *French King* or mixed therewith (except taken and condemned as Prize in the Admiralty, or thereby ordered to be sold as perishable) shall during this War be imported into *England*, *Ireland*, *Jersey*, *Guernsey*, *Sark* or *Man*, upon Forfeiture of such Goods and Ship, Guns, Tackle and Apparel thereof (wherein imported with Privy or Consent of Master) one Moiety to her Majesty, the other to him that shall seize or sue.

CCCLXXVII. If any Privateer shall by Collusion take any Ship, upon Proof thereof in the Admiralty, the Recognizance given at the taking out the Privateer's Commission shall be forfeited, and the Privateer-Ship and Appurtenances, and Merchant-Ship, Appurtenances and Ladings shall be condemned as Prize, and the Persons discovering and presenting shall have one Third of the Net Produce.

CCCLXXVIII. Proviso, Nothing herein shall hinder any Subjects who shall make Proof before one of the Barons of the Exchequer, that they before the first of *January*, 1704, had bought or contracted for *French* Wine at any Place in Amity (from whence such Wines by Law might be imported) from importing such Wine into *England* in *English*-built Shipping, navigated according to Law, before the first of *August*, 1705.

CCCLXXIX. Proviso, That nothing herein or in any other Law shall hinder her Majesty's Subjects from trading with Subjects of *Spain*.

CCCLXXX. Proviso, That nothing herein be construed to allow the carrying any Utenils and Habiliments of War to any Place belonging to *Spain*, nor to allow any Trade with Subjects of *Spain* for the said Goods. See afterwards, *Sec.* 382.

CCCLXXXI. Stat. 5 *A. c.* 17. That the A& of 13 & 14 *Car.* 2. c. 13. and every other A& restraining the Importation of Foreign Lace made of Thread in any Place (not within the Dominions of the *French* King) be repealed.

Proviso, Not to be construed to allow Importation of Lace made in the Dominions of the *French* King or Duke of *Anjou*, so long as they shall remain in the Possession of the *French* King or Duke respectively.

CCCLXXXII. Stat. 5 *A. c.* 20. That the A& of 3 *A. c.* 13. shall not be construed to countenance the using or wearing *French* Alamodes or Lustrings, but that the same shall be seized, condemned and exported under the like Penalties as before the said A&.

CCCLXXXIII. The A& of Parliament heretofore made for encouraging the said Manufacture shall remain in Force, as if the said A& had never been made.

CCCLXXXIV. Such Persons only who are Officers of the Customs, or deputed by the Lustring Company, and shall have Writs of Assistance from the Exchequer, shall seize Lustrings or Alamodes within the Bills of Mortality.

CCCLXXXV. When any Person claims Lustrings or Alamodes seized, it shall be sufficient that such Person give Security to pay the Costs of Suit only, and not the Penalties, in case Judgment be against the Claimer.

CCCLXXXVI. Stat.

CCCLXXXVI. Stat. 6 A. cap. 3. The Security to be given in Pursuance of, 9 W. 3. c. 44. (see above *Señ.* 279.) shall be after the Rate of 2500 l. for every hundred Ton the Ships shall be let for, which shall be sent to the *East-Indies* or Ports within the Limits in the said Act. And the *East-India* Company shall for each Ship sent out of *Great Britain*, and employed by them, by their common Seal, give Security with Condition, That all Goods intended to be laden on their or any of their Accounts from the Parts aforesaid, shall without breaking of Bulk be brought to and put on Land in *Great Britain* (the Dangers of the Seas, Enemies, Pirates, Constraint of Princes, Baratry of Seamen, and necessary Provisions and Merchandizes for the People of *St. Helena* for their proper Consumption excepted).

CCCLXXXVII. All the Goods laden within the Limits of the Act upon any Ship belonging to any Subject, with Intent to be transported from thence, shall be unladen in *Great Britain*, except as aforesaid, on Pain of forfeiting the Goods landed elsewhere, or the Value thereof, one Moiety to her Majesty, the other to the Person who shall seize, inform or sue in the Courts of Record at *Westminster*.

CCCLXXXVIII. Stat. 4 A. cap. 8. A Duty of 5 s. shall be paid to her Majesty and Successors for every White Woollen Cloth called Broad Cloth, which shall be exported to Foreign Parts.

CCCLXXXIX. And if any Person shall export or ship on any Vessel in order so to export such white Woollen Cloth without first paying the Duty aforesaid, such Person shall forfeit for every such Cloth so shipped, the Value of such Cloth, one Moiety to her Majesty, the other to such Person as shall seize, inform or sue for the same.

CCCXC. Stat. 6 A. cap. 9. Any Person whatsoever may export any white Woollen Cloth made in *Great Britain*.

CCCXCI. Stat. 6 A. cap. 17. The *English* Company trading to the *East-Indies* to advance and pay into the Exchequer 1200000 l. viz. on or before the 12th of May, the 12th of July, the 12th of September, the 12th of November, the 12th of January, and the 10th of March, 1708, by equal Portions: And in case of Failure by the said Company, the Monies whereof such Failure is made may be recovered by Action of Debt, and 12 per Cent. Damages.

CCCXCII. The said Company may borrow by their common Seal on their united Stock, so as the principal Money at any Time to be owing don't exceed 1500000 l. above what might lawfully be borrowed thereon before this Act.

CCCXCIII. In case the General Court of the Governor and Company of Merchants of *London* trading to the *East-Indies*, and the Court General of the said *English Company*, whilst they separately continue, shall think fit, or if the General Court, after the Determination of the said other General Court shall think fit to call in Monies from their respective Adventurers towards raising the said 1200000 *l.* or the repaying the Money borrowed to that Purpose.

Then the said Companies respectively may call in from their respective Members any such Sum that shall be thought fit, towards making up the said 1200000 *l.* or repaying as aforesaid, and all Executors, Administrators, Guardians and Trustees shall be indemnified in paying the same.

And in case any Member shall neglect or refuse to pay their Share of the Monies called in, or which the said Companies in pursuance of 9 *W. 3. cap. 44.* or their respective Charters shall call in for carrying on their Trade (by Notice fixed on the Royal Exchange *London*) then the said Companies respectively may stop the Dividends payable to such Member, and apply the same towards such Payment until the same be satisfied; and also stop the Transfers of the Shares of such Defaulter, and charge him with Interest at 6 *per Cent.* for the Monies neglected to be paid; and if the Principal and Interest be not paid in three Months, then the Companies respectively may sell so much of the Stock of the Defaulter as will pay the same.

CCCXCIV. The said Sum of 1200000 *l.* shall be deemed to be an Addition to the Stock of the *English Company*, and be Tax-free.

CCCXCV. The united Stock of the said *English Company* shall be subject to the Debts contracted by the said Company.

CCCXCVI. The Proviso in 9 *W. 3. cap. 44.* (above *Seff. 220.*) and 11 *W. 3. c. 3.* and in the Charters of the said Company for Reduction upon three Years Notice after the 29th of *September, 1711*, (upon Repayment of the two Millions paid in by the said *English Company* into the Exchequer, and the Arrears of the Payments at 8 *per Cent.* for the same, and the Duties on Salt and Rock Salt, and on the Stamp and the yearly Fond charged there on the Annuities, and the Duties of 5 *per Cent.* on imported Goods therein expressed Corporations and Benefit of Trade) is hereby repealed.

CCCXCVII. Persons intituled to 7200 *l.* Part of the two Millions, who have not united their Stock to the Corporations, and who are impowered to trade in a joint Stock, and carry on a Trade for their own separate Use, may hold and enjoy as if this Act not made.

But the *English Company* after the 29th of *September, 1711*, may affix Notice on the *Royal Exchange, London*, of their Intention to repay 7200 *l.* at the End of three Years; and in case the

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Company pay the same, and the Annuities at 8 per Cent. for the same, then the said Stock of 7200 l. and Trade shall be vested in the said Company.

CCCXCVIII. The said Duty of 5 per Cent. in respect of such Goods as shall be imported by the said *English* Company, shall after the 29th of September, 1714, cease and determine.

CCCXCIX. Proviso, That upon three Years Notice after the 25th of March, 1726, and Repayment of the two Millions and 1200000 l. and of all Arrears then due for the said Annuities, which Annuities amount to 160000 l. per Annum, then the Duties upon Salt, &c. and the Benefit of Trade by this and the former Acts and Charters given, to cease.

CCCC. Proviso, That nothing in this Act shall be construed to repeal or alter 11 W. 3. cap. 10. See before, Sect. 301.

CCCGI. After the 25th of March, 1708, upon Importation of Goods by the said *English* Company, the Officers of the Customs shall take Bonds of the *English* Company for the Custom of such Goods for which Bonds have usually been given.

CCCGII. The Matters in Difference between the said two Companies concerning an Union between them, referred to *Sydney* Earl of *Gedolphin's* Arbitration, so as the same be made on or before the 29th of September, 1708.

CCCGIII. After the making the said Award and Surrender of the Charter of the Governor and Company of Merchants of *London* trading to the *East-Indies*, the Persons who at the Time of the Surrender, in Pursuance of an Indenture tripartite, made between the Queen of the first Part, the said Governor and Company of the second Part, and the said *English* Company of the third Part, shall be Managers of the united Trade of the *English* Company, and none others shall be Directors of the said *English* Company, (which shall be called, *The United Company of Merchants in England trading to the East-Indies*) until new Directors shall be chosen according to the Charter dated the 5th of September, 10 W. 3.

CCCGIV. This Act shall be adjudged to be a publick Act.

CCCCV. Stat. 6 A. cap. 33. Any Person residing in her Majesty's Dominions may import *Cochineal* into this Kingdom in any Vessel belonging to any State in Amity with her Majesty, in *Spanish* Ships, or sailing with *Spanish* Passes, from any Port in *Spain*, during the War.

CCCCVI. Stat. 6 A. cap. 37. An Act for encouraging of the Trade in *America*, see *Ships* and *Shipping*, 161.

CCCCVII. Stat. 9 A. cap. 8. So much of the Act 3 A. for prohibiting all Trade with *France* (which see above Sect. 376.)

To the prohibiting the Importation of *French Wines*, is repealed.

CCCCVIII. *French Wines* may be imported in any Ships of 70 Tuns Burthen, paying the Duties, so as the same be imported directly from *France* into *Ireland*, and from thence to *England*.

CCCCIX. Proviso, That before the Ship proceed in her Voyage to *France*, she takes on Board some *English Goods*, (except prohibited) to the full Value of the *Wines*, or more; and that Proof is made on Oath before a Custom-Officer, that the Goods were landed and intended to be sold in *France*.

CCCCX. Stat. 9 A. c. 27. After the first of *June*, 1711, all Prize Goods and Merchandizes taken in *America*, by any Ship of War according to the Act 6 A. c. 37. and imported into any of the Plantations in *America*, shall be liable to these Duties, viz. all *European Goods*, &c. (*Wines* and *Brandies* excepted) which have been usually sent from the Plantations, shall pay such Customs as are payable for the like Goods imported into the Plantations from *Great Britain*; and all other Goods taken as Prize, shall be liable to such Duties as were payable for the same, by any Act of Assembly in the said Plantations.

CCCCXI. All Bonds and other Securities which have been taken at *Jamaica*, where the Captors are liable for the Payment of Duties chargeable by the Statute of 6 A. upon *Cocoa*, *Sugar*, *Indico*, *Tobacco*, *Pimento*, and other Commodities of the Growth of *America*, and for *Wines* and *Brandies*, and which remained unsatisfied upon the first of *June*, 1711, shall not be prosecuted until the End of the next Session of Parliament.

CCCCXII. Proviso, That the Officers with whom the said Securities remain, shall certify the Commissioners of the Customs in *England* before the 20th of *January*, 1711, the Tenor of the said Bonds and Securities remaining unsatisfied, and for what Duties they were taken: And the Commissioners of the Customs upon the receiving such Certificates, shall examine on Oath into the Circumstances of the Persons liable to such Bonds, and shall make Report thereof to the House of Commons in the next Session of Parliament.

CCCCXIII. All Prize Goods, which after the first of *June*, shall be imported in *Great Britain*, shall be subject to the Payment of the same Duties as those Goods would have been, had they not been Prize.

CCCCXIV. Stat. 10 A. cap. 27. Enacted, That two third Parts, or more, in Number and Value, of all the real Creditors of the *African Company*, their Executors, &c. Trustees, or any other Person authorized by them, at or before the 20th of *December*, 1712, by any Writings under their Hands and Seals, to allow the said Company Time for Payment of their Debts, or

to make any other Agreement with the Company touching their Debts; and that such Agreement shall be effectual, and bind and conclude all the Company's Creditors, &c.

CCCCXV. All such Agreements subscribed and sealed by Executors, Guardians and Trustees, shall bind Infants, &c. and they are indemnified for so doing.

CCCCXVI. Saving to the Crown all Debts or Sums of Money due from the said Company, by Extent, Inquisition, or otherwise, before the first of June, 1712.

CCCCXVII. Stat. 10 A. c. 28. Reciting an Act 9 W. for raising a Sum not exceeding two Millions, and for settling the Trade to the *East Indies*, by which 'tis enacted, That 160000 *l. per Annum*, arising by the Duties on Salt, and on stamp'd Vellom, Parchment and Paper, should be applied for the Payment of Annuities of 3 per Cent. *per Annum*, to such Persons as should subscribe and pay two Millions, &c. and that the Persons paying the same, should have the sole Trade to the *East-Indies*, subject to a Proviso of Redemption by Parliament, upon three Years Notice after the 29th of September, 1711, upon Payment of the said two Millions, &c. And it was by the said Act provided, That King *William* might constitute a Corporation to trade with a joint Stock to the *East-Indies*, which he did by Letters Patent dated the 5th of September, 10 W. Reciting also another Act 6 A. for assuring to the *East-India Company* a longer Time in the Fund and Trade, &c. subject also to a Condition herein after mentioned, *viz.* That upon three Years Notice after the 25th of March, 1726, and upon Repayment of two Millions by the Parliament, before advanced, and of 1,200,000 *l.* then and since advanced, and of all Arrears; then the said Duties on Salt, and upon stamp'd Vellom, Parchment and Paper, and the yearly Fund of 160000 *l.* and all the Corporations erected in Pursuance of those Acts, or Benefit of Trade, granted by them, or by any Charters, should cease.

CCCCXVIII. 'Tis now enacted, That the said last mentioned Proviso for Redemption and Determination of the said several Duties, the yearly Fund, Annuities, Corporations and Benefit of Trade, shall be made void and repealed; and that the said Duties, &c. and the Duty of 5 *l.* in the Hundred charged by the said Acts, upon Goods imported from the *East-Indies*, shall continue; and the *East-India Company* shall enjoy the said yearly Sum of 160000 *l. per Annum*, or such Part thereof, as they are or shall be entitled unto, and all the Benefit of Trade granted by the Act 9 W. or by the Charter of the 5th of September, 10 W. or by the Act 6 A. freed and discharged from the said Proviso or Condition contained in the last Act, subject nevertheless to the Restrictions, Covenants and Agreements in the said recited Acts and Letters Patent contained, and to the general Proviso following,

ing, *viz.* That at any Time after three Years Notice, after the 25th of *March*, 1733, and upon Repayment by Parliament, of the said Sums of two Millions, and 1,200,000 *l.* unto such Corporations and Persons as shall then be entitled to it, and all Arrears, &c. then the said Duties on Salt, stamp'd Vellum, Parchment and Paper, and the said yearly Fund of 160000 *l.* per Annum, shall cease.

CCCCIX. Stat. 10 A. cap. 9. enacted, That the *East-India* Company may from Time to Time enter such Goods as they shall import, at the Custom-house, by Bills at Sight or Sufferance; and may give Security under their Common Seal for the Payment of the Customs and Duties as are rated in the Book of Rates, and upon Coffee, which is to be ascertained by the Oath of the Importer, *viz.* For half Payment thereof at the End of six Calendar Months next after the Time within which the Report of the Master or Purser of the Ship, in which they shall be imported, shall or ought to have been made, and the other Half at the End of twelve Calendar Months next after the Time aforesaid. And the Custom-Officers shall grant to the said Company such Bills at Sight or Sufferance, and take such Security as aforesaid; and make such Allowances and Deductions as are to be made to other Merchants paying their Customs, and other Duties, at or before landing their Goods.

Treason.

I. Stat. *De Proditionibus*, 25 E. 3. Stat. 5. c. 2. To compass or imagine the Death of the King, Queen or Prince; to violate the Queen, the King's eldest Daughter unmarried, or the Prince's Wife; to levy War against the King, or adhere to his Enemies within the Realm, giving them Aid or Comfort within the Realm, or elsewhere; to counterfeit the King's Great Seal or Privy Seal, or his Money; to bring false Money into this Realm, counterfeit according to the Money of *England*, (knowing the said Money to be false) to merchandize or make Payment with it; to kill the Chancellor, Treasurer, or any Justice of either Bench, Justices in Eyre, Justices of Assize, or any other Justices assigned to hear and determine, being in their Places doing their Offices; is by this Statute declared to be High Treason; and in the said Cases that ought to be adjudged Treason, which extends to the King, or his Royal Majesty.

II. Forfeitures of Escheats pertain to the King, of whomsoever the Lands are holden.

III. There is another Sort of Treason (*viz.* Petty-Treason) when a Servant kills his Master, a Wife her Husband, a Secular or Regular his Prelate to whom he oweth Faith and Obedience.

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In such Cases the Escheat pertains to every Lord of his own Fee.

IV. If any other Case supposed Treason shall happen before any Justices, they shall defer the Judgment thereof, until the Case may be declared before the King and his Parliament, whether it ought to be adjudged Treason or Felony.

V. To ride armed with Men of Arms, with purpose to kill, rob or imprison another until he hath made Fine and Ransom, shall not be adjudged Treason, but Felony or Trespass, as hath been heretofore used; and if any such Attempt hath heretofore been adjudged Treason, and thereupon Lands seized into the King's Hands, which held of other Lords, they shall be restored to such Lords, saving to the King his Year and Waste.

VI. Stat. 1 H. 4. 10. Treason shall not be adjudged otherwise than as it was ordained by 25 E. 3.

VII. Stat. 26 H. 8. 13. *pars inde.* Treason committed out of this Realm shall be enquired of in such County, and before such Persons, as the King shall appoint by Commission; and upon every Indictment and Presentment so found and certified into the King's Bench, like Process and other Circumstance shall be there had and made against the Offender, as if such Treason had been found to have been committed within the Realm. Also all Process of Outlawry within the Realm against such Offender (being Resident out of the Realm at the Time of the Outlawry pronounced) shall be as good in Law, as if such Offender had been resident within the Realm at the Time of the Process awarded, and such Outlawry pronounced.

VIII. Every such Offender being lawfully convicted by Presentment, Confession, Verdict, or Process of Outlawry, shall forfeit to the King all such Lands, Tenements and Hereditaments, which he shall have of any Estate or Inheritance in Use or Possession, by any Right, Title or Means, within the King's Dominions, at the Time of such Treason committed, or after.

IX. The Rights, Titles, Interests, Possessions, Leases, Rents, Offices, and other Profits of all Persons, their Heirs and Successors, (except of the Offenders or others claiming to their Use) are saved.

X. Stat. 33 H. 8. 20. If any Person commit High Treason when he is of perfect Memory, and after Accusation, Examination and Confession thereof before any of the King's Council, shall fall into Lunacy, he shall be enquired of in any County where the King by his Commission shall assign; and if he be there indicted, he shall be there arraigned without his personal Presence; and if he be found guilty, he shall suffer Death, and forfeit as if he had

had been of perfect Memory. *But this is altered by 1 & 2 P. M. 10. which see after.*

XI. If any Person be attainted of High Treason by the Common Law or Statutes of this Realm, such Attainder by the Common Law shall be of as good Force, as if it had been done by Parliament, and the King shall have as much Benefit thereby, viz. of Lands, Tenements, Hereditaments, Goods, Chattels, Uses, Rights, Entries, Conditions, Possessions, Reversions, Remainders, and all other Things of such Offender, and shall be as well adjudged in actual and real Possession of all such Things of the Offender, which the King ought or might lawfully have, or which the Offender ought or might lawfully lose or forfeit, as if he had been attainted by the Parliament, without any Office or Inquisition to be found of the same.

XII. The Right, &c. of all others, (except the Offenders, &c.) is saved.

XIII. Stat. 35 H. 8. 2. All Treasons, Misprisions of Treasons and Concealments of Treason committed out of the Realm, shall be enquired, heard and determined before the Justices of the King's Bench, by lawful Men of the County where the Bench shall then sit, or before Commissioners, in such County as the King shall assign, by lawful Men of the same County, in like Manner as if the Offence had been committed in the same Shire where it is so enquired, heard and determined. But here, a Peer shall be tried by his Peers.

XIV. Stat. 1 E. 6. 12. All former Statutes which make any Offence Treason or Petty-Treason, are repealed, save only what is so made by 25 E. 3. Stat. 5. c. 2. and by this Statute.

XV. It shall be High Treason to affirm by Writing, Printing or Deed, that the King is not Supreme Head of the Church of England and Ireland, or that any other is. *But this Clause is repealed by 1 P. & M. 8.*

XVI. It shall be High Treason to interrupt any Person to whom the Crown is limited by 35 H. 8. 1. *But this is also expressly repealed by the general Words of 1 M. Sess. 1.*

XVII. If any compass to depose the King, or do affirm that he ought not to be King; for the first Offence he shall forfeit his Goods, and suffer Imprisonment at the King's Will; for the second he shall lose the Issues of his Lands during Life, and suffer perpetual Imprisonment; and for the third, shall be guilty of High Treason. *But so much hereof as concerns Treason, Petty-Treason, or Misprision of Treason, is also repealed by the general Words of 1 M. Sess. 1.*

XVIII. Stat. 5 & 6 E. 6. 11. It is High Treason to affirm by Writing, Printing, Painting, Carving or Graving, that the King is

an Heretick, Schismatick, Tyrant, Infidel or Usurper of the Crown, or rebelliously to detain from the King any of his Castles, Holds, Ships, Ordinances, Artillery, or ocher Fortification of War. *But this Part of this Statute is repealed expressly by 1 M. Sess. 1.*

XIX. Treason committed out of the Realm shall be enquired of in such County and before such Persons, as the King shall appoint by Commission; and upon every Indictment and Presentment so found and certified into the King's Bench, like Process and other Circumstances shall be there had and made against the Offender, as if such Treason had been found to have been committed within the Realm. Also all Process of Outlawry within the Realm against such Offender (being resistant out of the Realm at the Time of the Outlawry pronounced) shall be as good in Law, as if such Offender had been resident within the Realm at the Time of the Process awarded, and such Outlawry pronounced.

XX. If the Party within one Year after the Outlawry or Judgment given thereupon, yield himself to the Chief Justice of England, and offer to traverse the Indictment or Appeal whereupon he was so outlawed, he shall be admitted to such Traverse; and being thereupon acquit, shall be discharged of the Outlawry, and all Forfeitures by reason thereof.

XXI. The Offender in Treason, being lawfully convicted thereof, shall forfeit to the King all such Lands, Tenements and Hereditaments as he shall have of an Estate of Inheritance in his own Right in Use or Possession, in the King's Dominions, at the Time of the Treason committed, or at any Time after.

XXII. Concealment of Treason shall be deemed Misprision of Treason. *But quære whether this Clause be not also repealed by the general Words of 1 M. 1.*

XXIII. None shall be attainted of Treason but by the Testimony of two lawful Accusers, who shall be brought in Person before the Party accused; unless he will willingly without Violence confess the Offence.

XXIV. Here, the Right of all others is saved.

XXV. The Wife shall lose her Dower, where the Husband is attainted of Treason, so long as the Attainder continues in Force.

XXVI. Stat. 1 M. Sess. 1. No Act or Offence shall be adjudged Treason, Petty-Treason, or Misprision of Treason, but such as be declared to be so by 25 E. 3. Stat. 5. cap. 2.

XXVII. Stat. 1 M. Sess. 2. 6. To counterfeit any Foreign Coin (made current in this Realm) or the Queen's Signet Manual, Privy Signet or Privy Seal, shall be adjudged High Treason; and all Counsellors, Procurers and Abettors thereunto, shall also be deemed Traitors.

XXVIII. Stat.

XXVIII. Stat. 1 & 2 P. & M. 10. Trial of Treason shall be according to the Course of the Common Law, and not otherwise.

XXIX. The Right of all others is saved.

XXX. Concealment of High Treason shall be judged Misprision of Treason, and shall incur Punishment accordingly.

XXXI. Also in Cases of High Treason concerning Coin, and for counterfeiting the King or Queen's Signet, Privy Seal, Great Seal, or Signet Manual, such Trial shall be observed, as heretofore hath been used by the Common Law.

XXXII. Stat. 1 & 2 P. & M. 11. If any Person bring from beyond Sea into this Realm, or any of the Dominions thereof, any false or counterfeit Coin or Money, (allowed to be current in this Realm) knowing it to be so, with Intent to utter the same here by merchandizing or otherwise, both he and his Accessories shall be adjudged Offenders in High Treason; and shall be adjudged and convicted, or attainted for the same by such Evidence, and in such Form, as hath been used within this Realm before the first of E. 6.

XXXIII. Stat. 5 El. 11. Clipping, Washing, Rounding or Filing, (for Lucre-fake) any of the proper Monies or Coins of this Realm, or the Dominions thereof, or of Foreign Monies or Coins (allowed to be current here) shall be adjudged High-Treason; and the Offender herein, together with his Accessories, being thereof attainted, shall suffer Death, forfeit all his Goods, and his Lands also during Life.

XXXIV. They who have any Grant of Forfeitures of Lands or Goods within any Liberty or Precinct, shall in this Case also enjoy them.

XXXV. These Offences make no Corruption of Blood, nor Forfeiture of Dower: And here, Trial of a Peer shall be by his Peers.

XXXVI. Stat. 18 El. 1. If any Person shall (for Lucre-fake) by any Ways or Means whatsoever impair, diminish, falsify, scale or lighten the Coins of these Dominions, or the Coins of any other Realms (allowed to be current here, during the Time they are so allowed) it shall be adjudged Treason, and the Offenders therein, their Counsellors, Consenters and Aiders, shall suffer Death, forfeit all their Goods and Chattels, and their Lands also during Life.

XXXVII. Howbeit, this Offence shall cause no Corruption of Blood, or Forfeiture of Dower; and the Trial of a Peer shall be by his Peers.

XXXVIII. Stat.

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XXXVIII. Stat. 29 El. 2. No Record of Attainder of Treason shall be reversed, where the Party attainted is executed for the same Offence.

XXXIX. Stat. 13 Car. 2. cap. 1. If any during the King's Life, intend Death or Destruction, or any bodily Harm tending to Death or Destruction, maim or wounding, or Restraint of the King's Person, or to depose him from the Style or Honour of the Imperial Crown of any of his Dominions, or to levy War against him, or to move any Strangers to invade any of his Dominions under his Obedience, and any such Intentions declare by Printing, Writing, Preaching or advised Speaking, such Persons being convicted upon the Oaths of two Witnesses upon Trial, or otherwise attainted by Law, shall be adjudged Traitors.

XL. No Person by Virtue of this Act shall incur any Penalty, unless he be prosecuted within six Months after the Offence committed, and indicted within three Months after such Prosecution.

XLI. The Witnesses at the Offender's Arraignment shall be brought before him Face to Face.

XLII. Stat. 3 & 4 W. & M. c. 13. If during the present War with France, any Persons shall send, load, transport or deliver, or cause to be sent, loaden, &c. to or for the Use of the French King, or any of his Subjects residing in his Dominions, any Arms, Ordnance, Powder, Bullets, Pitch, Tar, Hemp, Masts, Cordage, Iron, Coals, Lead, Salt Petre, such Offenders shall be adjudged Traytors.

XLIII. If any during this War shall send, load, &c. to the Use of the French King, or any of his Subjects, residing, &c. any Goods or Merchandizes whatsoever, other than the Goods herein before particularly mentioned, they shall incur a *Præsumptio*.

XLIV. If any of their Majesties Subjects shall after the 10th Day of March, 1691, without their Majesty's Licence, voluntarily go, or embark in any Vessel, with an Intent to go into any of the Dominions of the French King, he shall be adjudged to be guilty of High Treason.

XLV. If any of their Majesty's Subjects shall after the 25th Day of March, 1692, voluntarily come or return from any of the French King's Dominions in Europe, into England, during the said War, without Leave obtained, they shall be kept in Prison without Bail or Mainprize during their Majesties Pleasure, for any Time not exceeding twelve Months.

XLVI. Stat. 7 W. 3. cap. 3. After the 25th Day of March, 1696, all and every Person and Persons accused and indicted for High

High Treason, whereby any Corruption of Blood may be made, or for Misprision of such Treason; shall have a Copy of the whole Indictment, but not the Names of the Witnesses, five Days at the least before he or they shall be tried for the same, whereby to enable them to advise with Counsel thereupon, his or their Attorney or Agent requiring the same, and paying reasonable Fees for Writing, not exceeding five Shillings for the Copy of an Indictment, and that every such Person so accused, indicted, arraigned or tried, &c. shall be admitted to make his full Defence by Counsel learned in the Law, and to make any Proof by lawful Witness or Witnesses, who shall then be upon Oath. And in case any Person so accused or indicted, shall desire Counsel, the Court before whom he shall be tried, shall assign him such Counsel as he desires, not exceeding two, who shall have free Access to him at seasonable Hours.

XLVII. After the said 25th Day of March, no Person or Persons shall be indicted, tried or attainted of High Treason, whereby Corruption of Blood may be made, or Misprision of such Treason, but by the Oaths and Testimony of two lawful Witnesses, either both to the same Overt-Act, or one to one, and the other to another Overt-Act of the same Treason, unless the Party willingly in open Court confess the same, or stand mute, or refuse to plead, or peremptorily challenge above thirty-five of the Jury.

XLVIII. Provided that any Person indicted of the Treasons or Misprisions of Treasons aforesaid, may be outlawed, and thereby attainted; and in Cases, when by the Law, after such Outlawry, the Party outlawed may come in and be tried, he shall upon such Trial have the Benefit of this Act.

XLIX. Where two or more distinct Treasons of divers Kinds shall be alledged in one Bill of Indictment, one Witness to one, and another Witness to another, shall not be deemed two Witnesses within the Meaning of this Act.

L. After the said 25th Day of March, no Person shall be prosecuted for any such Treason or Misprision, as aforesaid, that shall be committed in England, Wales or Berwick, after the said 25th of March, 1696, unless the Indictment be found within three Years after the Offence committed. And none shall be prosecuted for any such Offence done before the said 25th Day of March, unless indicted thereof within three Years after the 25th of March.

LI. Provided and excepted, That any Person designing or attempting any Assassination on the Body of the King, by Poison, or otherwise, may be prosecuted at any Time, notwithstanding the said Limitation: And all Persons, indicted of such Treason, and Misprision of Treason, as aforesaid, after the said 25th Day of March, shall have Copies of the Jurors, who are to try them, two Days at least before their Trial: And all Persons so indicted,

indicted, shall have like Process to compel their Witnesses to appear for them, as is usually granted for Witnesses against them.

LII. No Evidence shall be admitted of any Overt-Act, that is not expressly laid in the Indictment.

LIII. No Indictment for any of the Offences aforesaid, nor any Process nor Return thereupon, shall be quashed on the Motion of the Prisoner, for Miswriting, false or improper Latin, unless Exception for the same be made by the Prisoner or his Counsel before Evidence given in Court. Nor shall any such Miswriting, &c. after Conviction be Cause to arrest Judgment; yet any Judgment given upon such Indictment, may be reversed upon a Writ of Error, in the same Manner as if this Act had not been made.

LIV. Upon the Trial of any Peer or Peerefs for Treason or Misprision, all the Peers who have a Right to sit and vote in Parliament, shall be duly summoned twenty Days at least, before such Trial, and vote at the same, every such Peer first taking the Oaths in the Act of Parliament made 1 W. & M. and also subscribing and repeating the Declaration mentioned in the Act made 30 Car. 2.

LV. This Act not to extend to any Impeachment or other Proceedings in Parliament: Nor to any Indictment of High Treason, nor any Proceedings thereupon, for counterfeiting his Majesty's Coin, his Great Seal, Privy Seal, Sign Manual or Signet.

LVI. Stat. 9 W. 3. cap. 1. Every of his Majesty's Subjects, who since the 11th Day of December, 1688, have voluntarily gone into France, or any of the French King's Dominions in Europe, without Licence from his Majesty or the late deceased Queen Mary, or who have, during the late War with France, born Arms in the Service of the French King, by Sea or Land, or who have, since the 13th Day of February, 1688, been in Arms under the Command, or in the Service of the late King James in Europe, and shall after the 14th Day of January, 1697, return into this Kingdom, or any other his Majesty's Dominions, without Licence under the Privy Seal, shall be guilty of High Treason, and suffer and forfeit accordingly.

LVII. Every of his Majesty's Subjects, who after the 14th Day of January, 1697, shall, without Licence from his Majesty, within this Realm or without, in order to give any Aid or Assistance to the late King James, hold or keep any Intelligence or Correspondence by Letters, Messages or otherwise, with the late King James, or with any Person employed by him, knowing such Person to be so employed; or shall without Licence from his Majesty, by Bill of Exchange or otherwise, remit or pay any Sums of Money for the Use or Service of the late King James, knowing such Money to be for such Use or Service, shall be guilty of High Treason, and suffer and forfeit accordingly.

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LVIII. Any

LVIII. Any of the Offences against this Act committed out of this Realm, may be laid and tried in any County of this Realm.

LIX. The Clause in an Act of 3 & 4 W. & M. intituled, *An Act against corresponding with their Majesties Enemies*, whereby it is enacted, That if any of his Majesty's Subjects should after the 10th Day of March, 1691, without Licence from their Majesties, voluntarily go or imbarke in any Vessel, with Intent to go into France, or any Dominions of the French King, should be guilty of High Treason, is declared to be intended only during the War with France, and is now of no Force.

LX. Provided, That if any Person, who since the 11th Day of December, 1688, went into France, or any of the French King's Dominions without Licence, or who had been in Arms under the late King James or the French King, or in either of their Services since the 13th Day of February, 1688, and hath returned into this Realm without Licence, such Person shall depart this Realm by the first Day of February, 1697, unless before that Time such Person obtain his Majesty's Licence for staying here. And every such Person not departing this Realm by the first Day of February, 1697, or after such Departure, returning into this Realm without his Majesty's Licence, shall be guilty of High Treason, and suffer and forfeit accordingly.

LXI. No Person shall pay for any such Licence above ten Shillings in each Office through which such Licence shall pass; and Persons receiving more shall forfeit twenty Pounds to the Party grieved.

LXII. All Persons who after the 6th of January, 1697, shall procure or accept any Charter or Pardon, or Grant of any Title of Honour, or other Matter or Thing in England or Ireland from the late King James, or shall claim any Benefit thereby, or by any Writing purporting any such Pardon or Grant, shall be guilty of High Treason, and suffer and forfeit accordingly. And whosoever hath, since the 11th Day of December, 1688, accepted such Pardon or Grant, shall by the 13th Day of February, 1697, deliver such Pardon or Grant to his Majesty in Council, or to one of the Secretaries of State, before two Witnesses, or be guilty of High Treason, and suffer and forfeit accordingly.

LXIII. Any Person who having accepted or concealed any such Pardon or Grant, shall discover and deliver up the same by the said 13th Day of February, shall not be punished for procuring, accepting or concealing thereof, but be wholly indemnified for the same.

LXIV. All Persons indicted for any Thing made Treason by this Act, shall have the Benefit of the Act 7 W. 3. intituled, *An Act for regulating of Trials in Cases of Treason and Misprision of Treason*.

LXV. All Grants of any Estate forfeited by Virtue of this Act shall be utterly void.

LXVI. *And*

LXVI. Stat. 3 & 4 A. c. 14. After the 25th of *March*, 1705, If any Person during this War shall send, transport or deliver, or cause to be sent, &c. for the Use of the *French King* or Subjects in his Dominions or Territory in his Possession, any Arms, Powder, Bullets, Pitch, Tar, Hemp, Masts, Cordage, Iron or Saltpetre, such Person shall be adjudged a Traytor, and lose and forfeit as in Cases of High Treason.

LXVII. Any Subject, who since the 4th of *May*, 1 *th*. hath voluntarily gone into the *French King's* Dominions in *Europe* without Licence, or born Arms in the *French King's* Service, and shall return into her Majesty's Dominions after the 25th of *March*, 1705, without Licence under her Privy Seal, shall be adjudged guilty of High Treason, and suffer the Penalties.

LXVIII. Every Person, who since the 4th of *May*, 1 *A.* went into any the *French King's* Dominions without Licence, or hath been in Arms under him, and hath returned without Licence, shall depart this Realm before the first of *May*, 1705, unless before he obtain her Majesty's Privy Seal for staying; and in case he depart not, or after Departure return without Licence, he shall be adjudged guilty of High Treason, and suffer the Penalties.

LXIX. If any Subject after the 25th of *March*, 1705, during this War go, or imbarck with Intent to go, into the Dominions of the *French King*, he shall be adjudged guilty of High Treason, and suffer accordingly.

LXX. Offences against this Act committed out of the Realm, and Persons guilty of returning or continuing in this Realm contrary to this Act; every such Offence may be alledged, inquired of, and tried in any Country of this Realm.

LXXI. Persons indicted or prosecuted for Treason by this Act, shall be intituled to the Benefit of 7 *W.* 3. cap. 3.

LXXII. Stat. 4 A. c. 8. If any Person by Writing or Printing affirm, that *Queen Anne* is not lawfully or rightfully Queen, or that any Person or Persons have any Right to the Crown, otherwise than according to 1 *W. & M. Parl.* 1. Sess. 2. cap. 2. (*vide ante* Rights and Liberties) and 12 *W.* 3. cap. 2. (*vide* same Title) or that the Kings or Queens of *England*, by the Authority of the Parliament, cannot make Laws to limit and bind the Crown, and the Descent and Government thereof, every such Person shall be guilty of High Treason, and suffer Death, and all Forfeitures as in case of High Treason.

LXXIII. If any Person by Preaching or Speaking, shall affirm as aforesaid, every such Person shall incur the Penalty of *Præsumptio* mentioned 16 *R.* 2.

LXXV. Proviso, That no Person shall be prosecuted for Words spoken, unless Information be given upon Oath to one or more Justices of Peace in three Days after the Words spoken, and the Prosecution of the Offence be in three Months after the Information; and no Person shall be convicted for such Words spoken, but by the Oath of two Witnesses. *Vide* the rest of this Act *ante*, Title King and Queen, 73.

LXXVI. Stat. 6 A. cap. 7. If any Person by Writing or Printing affirm, that the Queen that now is, is not lawful and rightful Queen of these Realms, or that any other Person or Persons have any Right to the Crown otherwise than according to 1 W. & M. Sess. 2. c. 2. (see Rights and Liberties) and 12 W. 3. cap. 2. (see the same Title,) and 5 A. cap. 8. for the Union (See Scotland, S. H. 9.) or that the Kings or Queens of England, by Authority of Parliament, cannot make Laws to bind the Crown, Descent and Government thereof, such Person shall be guilty of High Treason, and suffer Death, and all Pains as in case of High Treason.

LXXVII. The rest of the Act as to High Treason is the same as 4 A. cap. 8. (see above) only this Act extends to all Great Britain. See the rest of this Act, Title King and Queen, Sect. 73.

LXXVIII. Stat. 6 A. c. 23. For the Trial of any Peer of Great Britain committing High or Petty Treason, or Misprision of Treason, Murder or Felony in Scotland, Commissions may issue under the Seal of Great Britain, constituting Justices to enquire by the Oaths of good and lawful Men of such County of Scotland, as shall be named therein, of all such Treasons, Misprisions, Murders or Felonies committed by a Peer of Great Britain, which Inquisition shall be taken in Manner as Indictments before Justices of Oyer and Terminer of any County in England, and be proceeded on in the same Method as such Inquisition found before such Justices, whereby any Peer is indicted for such Offence.

LXXIX. And such Justices shall issue Precepts to the Sheriff of such County to return so many good and lawful Men of the same County as may be sufficient to enquire of the said Offence; and twelve or more returned, being sworn, shall be sufficient to make Enquiry, and find any Indictment: And if such Sheriff shall not summon a sufficient Number, or if any Person summoned does not appear, the Justices may impose Fines to be levied by Process out of the Exchequer.

Trespafs.

I. Stat. of Gloucester, cap. 8. 6 E. 1. Sheriffs shall plead Pleas of Trespafs in their Counties, as they have been accustomed to be pleaded.

II. None shall have Writs of Trespafs before Justices, unless he swear by his Faith, that the Goods taken away were worth 40 s. at least.

III. If he complain of Beating, he shall swear by his Faith, that his Plaint is true; but for Maims and Wounds a Man shall have his Writ, as before hath been used.

IV. The Defendants in such Pleas may make their Attornies, where Appeal lieth not; so that if they be attainted of Trespafs, being absent, the Sheriffs shall be commanded to take them, and they shall incur like Pain, as they should have had if they had been present at the Judgment given.

V. If the Plaintiffs in such Trespafses cause themselves to be essoined after the first Appearance, Day shall be given them till the coming of the Justices, and the Defendants in the mean Time shall be in Peace.

VI. In such Pleas, and others where Attachment and Distresses do lie, if the Defendant essoin himself of the King's Service, and do not bring his Warrant at the Day given by the Essoin, he shall recompence the Plaintiff's Damages for his Journey, 20 s. or more at the Discretion of the Justices, and besides shall be grievously amerced to the King.

VII. Stat. 43 El. 7. If any shall be convicted by his own Confession, or by the Testimony of one Witness upon Oath, before one Justice of Peace or Head-Officer, to have unlawfully cut and taken away any Grain growing, robbed any Orchard or Garden, digged up or taken away any Fruit-Trees, broken any Hedges, Pales, or other Fence, cut or spoiled any Woods or Under-woods, standing and growing, or the like, or to have been accessory thereunto, he shall for the first Offence pay unto the Party grieved such Damages, and within such Time, as by the said Justice or Head-Officer shall be appointed: And in case the Party offending shall not by the said Justice or Officer be thought able to discharge the said Damages, or shall not discharge them according to the Order, then shall the said Offender be by them, or either of them, (respectively) committed to the Constable, or other Officer of the Place where the Offence was committed, or the Party apprehended, to be whipped. And for every other Offence committed afterwards, and proved as aforesaid, the Party offending shall receive the like Punishment of Whipping.

VIII. The Constable or other inferior Officer, that herein refuseth or neglecteth to do his Duty, shall by any such Justice of Peace or Head Officer be committed to Prison without Bail, till he whip, or cause to be whipped, the Party offending, as above limited.

IX. No Justice of Peace shall execute this Statute for Offences done to himself, unless he be associated with one or more Justices of Peace whom the Offence doth not concern.

X. Stat. 21 Jac. 1. 16. *pars inde*. In all Actions of Trespals; *quare clausum fregit*, wherein the Defendant or Defendants shall disclaim in his or their Plea to make any Title to the Land in which the Trespals is by the Declaration supposed to be done, and where the Trespals is by Negligence or involuntary, the Defendant or Defendants shall be admitted to plead a Disclaimer, and that the Trespals was done by Negligence or unvoluntarily, and to render or offer sufficient Amends for such Trespals before the Action brought; whereupon, or upon some of which, the Plaintiff or Plaintiffs shall be forced to join Issue; and if the said Issue be found for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonsuited, such Plaintiff or Plaintiffs shall be clearly barred from the said Action or Actions, and all other Suits concerning the same.

Trial.

I. Stat. 9 E. 3. Stat. 1. cap. 4. Whereas many be delayed in their Actions, for that the Tenants or Defendants plead in Bar a Release, Quit-claim, or other special Deed, made within a Franchise, where the King's Writ runneth not: It is enacted, That when such Deeds are shewed forth in Bar of an Action, and bear Date within a Franchise, albeit the Witnesses named in the Deed be of the Franchise, yet if the Deed be denied, Process shall be awarded in the Court where the Plea depends, to cause the Country and the Witnesses to appear; and if the Witnesses come not at the great Distresses returned, notwithstanding such Absence of the Witnesses the Justices shall not let to proceed to the taking of the Inquest, as well as if such Deed did bear Date within the County where the Plea was moved, and that the Witnesses were of the same County.

II. Stat. 8 H. 6. 29. The Statute of 28 E. 3. (which see in Staple) ordering that an Inquest shall be *De medietate Lingue* where an Alien is Party, is confirmed: And it is by this Act farther declared, That the Statute of 2 H. 5. 3. (which see in Jurors) doth only extend to Inquests taken between Denizen and Denizen; so that an Alien may be put upon Inquests ac-

cording

ording to the Statute of 28 E. 3. Albeit he have not Lands of the yearly Value of 40*s*.

III. Stat. 20 H. 6. 9. Trial of Dutcheſſes, Counteſſes and Baroneſſes, for Treason or Felony, ſhall be as Noblemen, Peers of the Realm, and not otherwiſe, notwithstanding the Statute of *Magna Charta*, cap. 9. which mentioneth Men only to be tried by their Peers. See the Chapter in *Magna Charta* in Accuſations.

IV. Stat. 4 H. 8. 2. *pari inde*. Where a Murderer or Felon (to delay his Arraignment) pleads that he was taken out of a privileged Place in a foreign County, and it is alledged by the King's Attorney (or ſome other in the King's Behalf) that he was taken in the County where he is ſo to be arraigned, they ſhall be tried by the Inqueſt who are to try the Murder or Felony, and before the ſame Juſtice; and if it be found that he was taken in the ſame County, ſuch Foreign Plea ſhall do him no Advantage or Benefit.

V. Stat. 27 H. 8. 4. Murder and Robberies committed by Pirates upon the Sea, or in any other Place where the Admiral pretends Jurisdiction, ſhall be inquired into, tried, heard and determined, in ſuch Places and Counties within the Realm as ſhall be limited by the King's Commiſſion, in like Manner as if ſuch Offences were done at Land. And ſuch Commiſſions (being under the Great Seal) ſhall be directed to the Lord High Admiral, his Lieutenant or Deputy, and to three or four ſuch others as the Lord Chancellor ſhall name.

VI. The ſaid Commiſſioners, or three of them, have Power to enquire of ſuch Offences by twelve lawful Men of the County, ſo limited in their Commiſſion, as if ſuch Offences were done at Land within the ſame County; and every Indiſtment ſo found and preſented ſhall be good in Law; and ſuch Order, Proceſs, Judgment and Execution, ſhall be uſed, had, done and made thereupon, as againſt Offenders for Murder or Felony done at Land. Alſo the Trial of ſuch Offences (if they be denied) ſhall be had by twelve Men of the County; limited in the ſaid Commiſſion, as aforeſaid, and no Challenge ſhall be had for the Hundred: And ſuch as ſhall be convicted of ſuch Offences, ſhall ſuffer Death without Benefit of Clergy, and forfeit Lands and Goods, as in caſe of Felonies and Murders done at Land.

VII. This Act ſhall not prejudice any Perſon or Perſons (urged by Neceſſity) for taking Viſtual, Cable, Ropes, Anchors or Sails, out of another Ship that may ſpare them, ſo as they either pay ready Money or Money-worth for them, or give a Bill for the Payment thereof, *viz.* if they be taken on this Side the Straights of *Moracco*, within four Months; but if beyond, within twelve Months.

VIII. When any such Commission shall be sent to any Place within the Jurisdiction of the Cinque Ports, it shall be directed to the Warden of the said Ports, or his Deputy, with three or four other Persons, as the Lord Chancellor shall name: And the Inquisition and Trial of such Offences there shall be made and had by the Inhabitants of the said Ports, and the Members of the same.

IX. Stat. 28 H. 8. 15. This Act is *verbatim* the same with 27 H. 8. 4. save only that it extends as well to Treasons, and all other capital Offences committed within the Admiral's Jurisdiction, as unto Felonies, Robberies and Murders there done. See 1 Ann. Stat. 2. cap. 9. Title Felons, *Self.* 45, 46.

X. Stat. 33 H. 8. 12. The Manner of the Trial and Punishment of Murder and Bloodshed within the King's Court. See the *Statute at large.*

XI. Stat. 33 H. 8. 23. If any Person, being examined before the King's Council, or any three of them, upon any Treason, Misprision of Treason, or Murder, doth confess the same, or by the said Council is vehemently suspected to be guilty thereof; in this Case the King shall direct a Commission of Oyer and Terminer to such Persons, and into such County or Place as he pleaseth, for the speedy Trial, Conviction or Deliverance of such Offenders. And here no Challenge for the County or Hundred shall be allowed; but a Juror may be challenged, if he have not Freehold worth 40 s. *per Annum.* In this Case also the Trial of a Peer shall be by his Peers.

XII. Stat. 2 & 3 E. 6. 24. Where any is feloniously stricken or poisoned in one County, and dieth of such Stroke or Poisoning in any other County, an Indictment thereof found by Jurors of the County where he dies shall be as good in Law, as if the Stroke or Poisoning had been in the County where the Party so dieth: And Justices of Goal-Delivery and Oyer and Terminer in the County where such Indictment is taken, as also the Justices of the King's Bench, before whom such Indictment is removed, may proceed thereupon in all Points, as if such Stroke or Poisoning and Death had all happened in one and the same County.

XIII. Also an Appeal may be commenced, taken and sued in the County where the Party so stricken or poisoned shall die, as well against the Principal as Accessary; in whatsoever County such Accessary be guilty thereof: And the Justices before whom such Appeal is prosecuted (within the Year and Day after the Offence committed) shall proceed against every such Accessary in the County where such Appeal is so taken, in like Manner as if

if the Offence of such Accessary had been committed in the same County, as well concerning Trial by Jurors, upon the Offenders Pleas of Not guilty, as otherwise.

XIV. Where any Murder or Felony is committed in one County, and more Persons be accessary thereunto in another County, an Indictment found and taken against such Accessary before Justices of Peace, or other Commissioners in the County where such Person is Accessary, shall be as good in Law, as if the principal Offence had been committed in the same County.

XV. The Justices of Gaol-Delivery, or Oyer and Terminer, (or two of them) of the County where the Party so became Accessary, shall (upon Request) write unto the *Custos Rotularum* where the Principal shall be attainted or convicted, to certifye them whether the Principal shall be attainted, convicted or otherwise discharged; and then the Justices of Gaol-Delivery, Oyer and Terminer, or others authorized, shall proceed upon every such Accessary in like Manner, as if both the principal Offence and Accessary had been committed in the County where the Party so became accessary; and thereupon every such Accessary shall answer upon his Arraignment, and receive such Trial, Judgment and Execution, and suffer such Pains and Forfeitures as are used in other Cases of Felony.

Vacations of Bishopricks.

I. Magna Charta, 33. 9 H. 3. Patrons of Abbeyes shall have the Custody of them in Time of Vacation.

II. Stat. pro Clero, 4. 14 E. 3. Escheators shall preserve from Waste and Destruction the Possessions of Archbishopricks, Bishopricks, and other Prelacies, during their Vacations, and the Chancellor and Treasurer shall demise them to the Dean and Chapter, or Prior and Convent, before any other, at a reasonable Rate, without Fine; but if they will not take them, then shall the said Chancellor and Treasurer cause them to be preserved by the said Escheators, or others, and the reasonable Profits thereof to be answered to the King.

III. Stat. pro Clero, 5. 14 E. 3. This Chapter is also for demising them to the Dean and Chapter, or Prior and Convent, at as reasonable Rate, and without Fine, as before, and that the Escheator, or other Minister, shall not enter or molest them.

Uagrants,

Vagrants, Rogues, Beggars, and Poor People.

I. Stat. 39 El. 4. Justices of Peace within every County and Corporation, have Power in Sessions to give Order for Erection of Houses of Correction, and also for the Maintenance and Government of the same, and for the Punishment of Offenders which shall be thither committed.

II. All Scholars and Sea-faring Men which beg; all wandering Persons which either beg or use unlawful Games and Plays, feign themselves to have Skill in Physiognomy, Palmestry, or the like, or pretend to tell Fortunes; all Persons that are or pretend to be Collectors for Gaols, Hospitals, &c. all Fencers, Bearwards, Common Players and Minstrels wandering abroad, other than such as shall be authorized by Noblemen under their Hands and Seals; all Juglers, Tinkers, Pedlars and Petty Chapmen wandering abroad; all Labourers which wander and refuse to work for Wages reasonably taxed, having no Living otherwise to maintain themselves; all Persons delivered out of Gaols, which beg for their Fees, or otherwise do travel begging; all which wander abroad begging, pretending Loss by Fire, or otherwise; and all such Persons (not being Felons) wandering and pretending themselves to be *Egyptians*, shall be adjudged Rogues, Vagabonds and sturdy Beggars.

III. If any such Vagabond shall be taken begging, wandering or misordering him or herself, he or she, by the Appointment of any Justice of Peace, Constable, Headborough or Tithingman there, (the two last being assisted by the Minister, and one other of the Parish) shall be stripped naked from the Middle upwards, openly whipped till their Body be bloody, and forthwith sent the next Way from Parish to Parish, by the Officers of each Parish, towards the Place of their Birth: But if it cannot be known, then towards the Place where they last dwelt, by the Space of one whole Year before such Punishment; and if that cannot be known, then to the Town through which they last passed without Punishment. And if it cannot be discovered where they were born, or last dwelt, as aforesaid, then they are to be conveyed by the Officer there to the House of Correction, or Common Gaol of the County, to be employed in Work, or placed in some Service, and so continue for the Space of one Year; or in case they be not able in Body, that Town is to keep them till they may be placed in some Alms-house within the same Country.

IV. After

IV. After which Whipping, the Vagabond shall have a Testimonial under the Hand and Seal of the said Justice, Constable, Head-Officer, Tithingman and Minister, or any two of them, testifying the Day and Place of his Punishment, the Place to which he is to be conveyed, and the Time limited for his Passage thither; which Time if by his own Default he exceed, he shall from Time to Time incur the like Punishment, till he arrive at the Place limited; the Substance of which Testimonial shall be registred by the said Minister, in a Book provided for that Purpose, in Pain of 5 s.

V. If any such Rogue seem dangerous, or will not be reformed, two Justices of Peace (one *Quorum*) shall commit him to the House of Correction; and if at the next Quarter-Sessions by the more Part of the Justices there he shall not be thought fit to be delivered, he shall by them be banished, and at the Charge of that County shall be conveyed to such Parts beyond the Seas, as shall by six or more of the Privy Council for that Purpose be assigned, whereof the Lord Keeper or Treasurer to be one; otherwise adjudged to the Gallies of the Realm, as the said Justices shall think fit. And if a Rogue so banished return without Licence, he shall suffer as a Felon, to be tried in the County where he shall be apprehended.

VI. If a Constable, Headborough or Tithingman be found negligent in the due Execution of this Act, they shall forfeit 10 s. for every Default; and none shall make Rescous against the Officer, or hinder the Execution of this Law, in pain of 5 l. and to be bound to the Good Behaviour.

VII. None shall transport such a Rogue out of *Ireland*, *Scotland*, or the *Ile of Man*, (being born in any of these Places, in Pain to forfeit 20 s. to the Use of the Poor where he lands: And if any such shall be hereafter found in *England* or *Wales*, they shall suffer Punishment, and be conveyed the next Way Home, as aforesaid; or (in case they came by Sea) to the Place where they landed, from whence they are to be transported at the Charge of that County to the Place from whence they came.

VIII. No impotent or poor Person shall pass to the *Bath* or *Buxton*, without being licensed to pass by two Justices of Peace where they dwell, and provided with Relief, both for their Journey and Abode there; and shall also return within the Time limited by their Licence, in pain to be repured and punished as Rogues; and the City of *Bath*, or Town of *Buxton*, shall not be chargeable with any such.

IX. Justices of Peace of the Counties shall not intermeddle in Cities or Corporations, but only the Officers of the same, who shall have like Power there as the said Justices have in Counties.

X. This Act shall not extend to restrain the Power which the City of *London* hath in the Government of *St. Thomas's Hospital*

in *Southwark*, or to prejudice any Jurisdiction or Inheritance of *John Dutton* of *Dutton* in the County of *Chester*, Esq;

XI. The Forfeitures and Fines which shall accrue by this Act (other than those above otherwise limited) shall be employed for the Maintenance of Houses of Correction, or the Relief of the Poor where the Offence shall be committed, at the Discretion of the said Justices of Peace; and may be levied by Warrant under the Hands and Seals of two Justices of Peace, by Distress and Sale of Goods. And here, the Confession of the Offender, or Proof by two Witnesses before two such Justices, shall be sufficient Conviction.

XII. Two Justices of Peace (one *Quorum*) shall have full Power to hear and determine all Causes which may come in Question by reason of this Act.

XIII. The Lord Chancellor or Keeper for the Time being, shall have Power to make Commissioners to enquire of Money given towards the Erection or Maintenance of Houses of Correction, Stocks for Poor, or other such like Uses.

XIV. A Sea-faring Man suffering Shipwreck, not having wherewithal to relieve himself, and having a Testimonial under some Justice of Peace his Hand and Seal near the Place where he landed, declaring the Time and Place of his Landing, the Place of his Dwelling or Birth, unto which he is to pass, and the Time limited for his Passage, may in the direct Way Home, and within the Time so limited for his Passage, ask and receive necessary Relief, without incurring the Penalties of this Act.

XV. This Act shall not extend to Children under seven Years old, nor to Glas-men which travel without Begging, by Licenses under the Hands and Seals of three Justices of Peace (one *Quorum*) of the County through which they travel.

XVI. Stat. 39 El. 17. Wandring Soldiers and Mariners, and all others wandring as Soldiers or Mariners, which will not settle themselves to work, or have not a Testimonial under the Hand of some one Justice of Peace near the Place of their Landing, setting down the Place where they landed, the Place whither they are to pass, and the Time of their Passage, or, having a Testimonial, exceed the Time therein limited above fourteen Days, or counterfeit a Testimonial, or produce one which they know to be Counterfeit, shall in all these Cases suffer as Felons, without Benefit of Clergy.

XVII Justices of Assize, Goal-Delivery, and of Peace, in their Sessions, have Power to proceed against these Offenders as in case of Felony without Clergy, unless some sufficient Man (allowed by the Justices) will enter into Recognizance of 10 l. to the Queen, to retain the Offender for one whole Year, and to bring him to the next Sessions of Peace and Goal-Delivery after the Year ended. And if he within the Year depart that Service without

without License, he shall afterwards suffer as a Felon without Clergy.

XVIII. Soldiers and Mariners which fall sick in their Passage Home shall be excused; though they exceed the Time limited in their Testimonial, so that they perform this Act in convenient Time after their Recovery.

XIX. If, when they come Home, they cannot get Work, the two next Justices (upon their Complaint) shall take Order that they may be provided of Work, or otherwise shall tax the whole Hundred for their Relief, until Work may be had.

XX. The Soldier or Mariner (licensed by a Justice of Peace to whom he shall make his Poverty known) having not wherewith to bear his Charges Home, may ask and take Relief, so it be in his direct Way Home, and within the Time limited by his License.

XXI. These Offences shall cause no Corruption of Blood.

XXII. Stat. 1 Jac. 1. 7. Noble Personages shall authorize none to go wandering abroad; and Glas-men shall be reputed and used as Rogues, notwithstanding the Statute of 39 El. 4.

XXIII. Instead of baptizing an incorrigible Rogue, or committing him to the Gallies, (as was ordained by 39 El. 4.) he shall in open Sessions be branded in the left Shoulder with a burning Iron, having a great Roman R upon it as broad as a Shilling, and from thence shall be sent to the Place of his last Dwelling; if that cannot be known, to the Place of his Birth: After which Time, if he offend again, he shall suffer as a Felon without Benefit of Clergy.

XXIV. Every Person that seeth or knoweth any Rogue to beg, shall convey, or cause him to be conveyed to the next Constable or Tithingman, in Pain of 18 s. to be levied and employed as the Forfeitures of 39 El. 4. and in Default thereof, then by the Lord of the Leet, or his Officer, in like Manner as the Persons authorized by the said Statute should have levied and employed the same. And here also, if the Constable or Tithing-man do not punish him according to that Statute, he shall forfeit 20 s. to be also levied and employed as by the same Statute is appointed.

XXV. This Act shall not prejudice the Jurisdiction of Inheritance of John Dutton of Dutton in the County of Chester, Esq;

XXVI. Stat. 7 Jac. 1. 4. There shall be an House of Correction provided in every Shire, to set Rogues and other idle People to work.

XXVII. The Justices in Sessions shall from Time to Time appoint a Governor for the said House, who shall have Power to set such Rogues and idle People to work, and to punish them by moderate Whipping, or putting Fetters or Gyves on them; which Rogues and idle Persons shall not be chargeable to the Country,

Country, nor have other Allowance than what they shall deserve by their own Labour.

XXVIII. The said Justices shall at least twice every Year within their several Divisions (and oftner if need be) assemble and meet together for the better Execution of this Statute; and some four or five Days before their meeting, shall by Warrant command the Constables and Tithingmen of every Hundred, Town and Hamlet, (being assisted with other sufficient Men) to make a general privy Search in one Night within their several Precincts, for the finding and apprehending of Rogues, &c. and such as shall be found, to bring them to the said Meeting to be examined, punished, or sent to the House or Houses of Correction, there to be set on work.

XXIX. The said Constables and Tithingmen shall appear at the said Meeting, and there give an Account upon Oath in Writing under the Master's Hand; testifying the Rogues, &c. they have taken in the last Search, or since the last Meeting, and how many have been punished, or otherwise sent to the House of Correction; which if they neglect to do, or safely to convey such to the House of Correction, as by the said Justice's Warrant shall be committed thither, they shall incur what Fine the said Justices shall please to set upon them, so it exceeds not 40 s.

XXX. The Governors of the Houses of Correction shall have such a Sum of Money yearly as shall be thought fit by the more Part of the Justices of Peace in Sessions, the same to be paid quarterly before-hand by the Treasurers of the County, the Governors giving Security for their Continuance in the said Service.

XXXI. If any lewd Woman have a Bastard which may be chargeable to the Parish, the Justices of Peace shall commit her to the House of Correction, there to be punished and set to work one whole Year: And if she offend again, then she is to be committed again, there to remain till she put in good Sureties for the Good Behaviour, and not to offend so again.

XXXII. Persons running away, and leaving their Charge to the Parish, shall be deemed and punished as incorrigible Rogues; and those that threaten so to do, (it being proved by two Witnesses upon Oath before two Justices of Peace of the same Division) shall be by the same Justices sent to the House of Correction, there to be punished as sturdy Rogues, (unless they put in sufficient Sureties to discharge the Town) and not to be delivered but at such a Meeting as aforesaid, or in open Sessions.

XXXIII. If the Governors shall not every Quarter, Sessions yield to the said Justices a true Account of all such Persons as shall be committed to their Custody; or if they suffer any within their Charge to make Escape, or to be troublesome to the County by going abroad, or otherwise, they shall incur what

Fine

Five the same Justices in Sessions shall think fit to impose upon them.

XXXV. All Fines which shall accrue by this Act (other than those already limited) shall be paid to the Treasurers of the County, and by them be accounted for.

XXXV. See Title *P002*, Numb. *XLV.* and *XLVI.*

XXXVI. Stat. 11 & 12 W. 3. c. 18. enacted, That after the 24th of June, 1700; if any Vagabond, Beggar, &c. be brought to any Constable or other Officer, with a Pass or other Writing, to be relieved or conveyed, such Vagabond, &c. shall be taken by the Constable before the next Justice of Peace, who shall carefully examine such Persons; and, as the Case requires, either send them to the House of Correction, or to such Town of the next County as he shall think most proper, giving the Constable a Certificate of the Persons so ordered to be punished or conveyed, with the Manner how, and when, and whence conveyed, and with what Assistance.

XXXVII. The said Justices shall tax the Allowance to the Constable on the Back of such Certificate, which being delivered to the Chief Constable, he is to pay it, out of the Gaol and Marshalsea-Money; delivering the Receipt for it to the Treasurer of the County, who shall discount the same, and be allowed it on his Treasurers Account; and if the Gaol and Marshalsea-Money have not a Surplus, the Justices at the Quarter-Sessions shall raise the Money as they do for Gaols and Bridges, and pay the Chief Constable a Quarter's Payment before-hand for the said Purpose.

XXXVIII. The Petty Constables shall not charge the Place for such Relief or Conveyance.

XXXIX. Constables neglecting their Duty, or to apprehend such Vagabonds, or wandering Beggars, shall forfeit twenty Shillings, one Fourth to the Informer, and three Fourths to the Poor; to be levied by Warrant of any Justice of Peace, on the Oath of one Witness.

XL. This Act to continue three Years, from the 24th of June, 1700, and thence to the End of the next Session of Parliament.

XLI. The several Ridings, Divisions of Counties, Liberties and Towns Corporate, shall be taken as Counties at large in the Execution of this Act.

XLII. The Clause in an Act for erecting Workhouses, and Houses of Correction, in the Town of *Kingslon upon Hull*, for the Employment and Maintenance of the Poor there, being to this Effect, That all charitable Gifts, &c. devised to the Use of the said Town, or of any Place within the same, shall be paid to the Corporation in the said Act made, for the Use of the Poor of the said Town; whereby Persons well disposed to the Hospital of the *Trinity-House* of *Kingslon upon Hull*, for the better Maintenance

tenance of distressed Seamen, their Widows and Children, may be discouraged in their Benefaction thereto, the said Clause is hereby repealed, and shall not extend to the said Hospital, nor to the Poor thereof.

XLIII. Stat. 1 A. Stat. 2. cap. 13. Enacted, That 11 W. 3. cap. 18. shall extend to all Vagrants.

XLIV. The Justices at next Quarter-Sessions after this Act, and at every Quarter-Sessions during its Continuance, to set down the Rates for the Year ensuing, to be allowed for conveying Vagrants through their Liberties. The Clerk of the Peace to give each Justice a Copy of the Rate *gratis*. The Justices to tax the Allowance upon the Certificate he gives to the Petty Constable.

XLV. No High Constable to pay the Rate taxed upon the Certificate brought him by the Petty Constable, unless he produce the Receipt of the Constables of the adjacent County (to whom the Vagrant was to be delivered) of their Receipt of the said Vagrant.

XLVI. Constables and other Officers neglecting their Duty hereby enjoined, to forfeit 20 s. This Act to continue for three Years from the Expiration of 11 W. 3. cap. 18. and from thence to the End of the next Session of Parliament.

XLVII. Stat. 5 A. c. 32. That the Acts made in the 11 & 12 W. 3. cap. 18. and 1 A. Stat. 2. c. 13. and every Clause therein relating to Vagrants, shall continue from the Expiration of the last mentioned Act for seven Years, and from thence to the End of the next Session of Parliament.

XLVIII. Where the Gaol and Marshalsea-Money shall not be sufficient to satisfy Constables and others for their Loss of Time and Expences in passing Vagrants, the general Quarter-Sessions shall assess on every Parish and Place such Sums of Money as are reasonable for Satisfaction of such Allowances, the Money assessed to be levied according to the Rules by any Acts in Force prescribed for levying Money for Repair of County-Bridges, and the Money so levied to be disposed of as by Order of such Quarter-Sessions shall be appointed.

XLIX. Where there are two or more Treasurers for one County or Division, the Treasurers thereof shall give Obedience to such Order as shall be made at the first General Quarter-Sessions to be held for every County or Division, for the Discharge of such Sums as shall arise by the Conveyance of Vagrants through every such County or Division.

Proviso, That such Charges be levied according to the customary Rate of Gaol or Bridge-Money, and that no such Order shall be effectual till such Treasurer to whom directed have sufficient in his Hands.

L. If any Persons find themselves grieved by Demands for Disbursements which any the Constables, Headboroughs, &c. shall require of the Parishes or Towns, or by any Tax or other Act relating to any the aforesaid Demands, such Persons may appeal to the next General Quarter-Sessions, and the Judgment of the Quarter-Sessions shall conclude all Parties.

LI. The Justices of Peace, chief Magistrates, and other Officers in Liberties and Towns Corporate, shall in certifying and conveying of Passengers, Vagabond Beggars, and idle Persons, and raising and paying of Money, act in such Liberties and Towns as they by the said Act were empowered to do in Counties at large.

LII. Stat. 12 A. Sess. 2. cap. 23. enacted, That all Persons who pretend to be Patent-Gatherers, or Collectors for Prisons, Gaols or Hospitals, and wandering abroad for that Purpose, all Fencers, Bearwards, Common Players of Interludes, Minstrels, Jugglers; all Persons pretending to be Gypsies, or wandering in the Habits or Forms of counterfeited Egyptians; or pretending to tell Fortunes, or the like phantastical Imaginations; or using any subtil Craft, or unlawful Games or Plays; and all Persons able in Body, who run away, and leave their Wives or Children to the Parish; and not having wherewith otherwise to maintain themselves, use Loitering, and refuse to work for the usual and common Wages; and all other idle Persons wandering abroad and begging, (except Soldiers, Mariners or Seafaring Men, licensed by some Writing under the Hand and Seal of some Justice of Peace, setting down the Time and Place of their Landing, and the Place to which they are to pass, and limiting the Time for their Passage, while they continue in the direct Way to the Place, to which they are to pass, and during the Time so limited,) shall be deemed Rogues and Vagabonds.

LIII. If after the first of August, 1714, any Person, who by this Act is declared to be a Vagabond, shall be found wandering and begging in any Parish, the Constable, &c. may apprehend such Person, and convey him or her to some Justice near the Place. And if the Constable, &c. shall not use their best Endeavour to apprehend such Vagabond, it shall be deemed a Neglect of his Duty; and if any other Inhabitant, being charged by the Justice, &c. shall refuse to use his Endeavour to apprehend, and to deliver to the Constable, or to carry before some Justice, any such Vagabond, and be found guilty thereof upon oath before the Justice, he shall forfeit ten Shillings to the Poor of the Parish where the Person shall be begging. And if any Person shall apprehend such Vagabond, and bring him before some Justice, he may reward such Person by ordering any Constable, &c. where such Rogue was found wandering and begging, and passed unapprehended, to pay two Shillings to the Person

so apprehending him ; which if the Constable refuse to pay, then the Justice may by Warrant levy twenty Shillings by Distress and Sale of such Constable's Goods, and allow the Person two Shillings out of the same, and such Recompence as he shall think fit.

LIV. Any two or more Justices may meet at some convenient Time and Place before their Quarter-Sessions, and in their proper Divisions, and by their Warrants, command the Constables of every Hundred (who shall be assisted with sufficient Men) to make a general Search in one Night through their several Limits for finding such Vagabonds, and to cause such as they find to be brought before any Justice of the same Division or County.

LV. The Person brought before the Justice may be examined by him ; and he may inform himself as well by the Oath and Examination of the Person apprehended, as upon the Oath of any others, or by any other proper Means, of the Condition, Place of Abode or Birth of the Person, to be put down in Writing, and signed by the Person so examined, and to be transmitted to the next Quarter-Sessions, there to be filed and kept on Record. And if it appear that such Person hath any legal Settlement, he shall be sent thither by an Order of two Justices, &c. And if it cannot be found that he hath gained any legal Settlement since his Birth, then he shall be sent by a Pass (directed to the Constable, &c. where he was apprehended, taking Notice where and for what Cause, and whither and in what Time, he is to pass) to the Place of his Birth : Or if he be under the Age of fourteen Years, and hath Father or Mother, then he shall be sent to the Place of their Abode. But if that cannot be known, then to the Place or Parish where he was last found begging, and passed unapprehended, and to be delivered to the Constable of other Parish-Officer there. The Pass is to be in this Form :

To the Constable of, &c.

LVI. Middl. ff. *Whereas* T. B. being, as he informs me, about the Age of _____ Years, was apprehended in the Parish of _____ wandering and begging there, and brought before me R. B. one of His Majesty's Justices of the Peace for this County : And upon Examination of the said T. B. and of W. O. taken before me on Oath, it doth appear that the said T. B. was born at Hackney, in this County : _____ in the County of, &c. Or, That the said T. B. is under the Age of fourteen Years, and hath a Father living, and abiding in the Parish of, &c. Or, That he was found begging in the Parish of, &c. when he last past through unapprehended, (as the Case is,) and the Place of his Birth cannot be discovered. And it doth not appear to me that the said T. B. hath obtained any legal Settlement since his Birth. Therefore I require you to convey the said T. B. in the next direct Road to the said Parish of Hackney, and there deliver him to the Constable

or other Officer, of the same Parish, to be there provided for according to Law.

LXVII. But if the Place of his Birth be out of the County where he was taken, then the Pass to be thus:

LXVIII. *¶ To convey the said T. B. to the Parish of, &c. in the County of Berks, that being the first Town in the new Precinct through which he ought to pass to the said Parish of, &c. to be thence conveyed on according to the Directions of the Statute, in that Case made and provided, to the Parish of, &c. and I do hereby allow the Space of three Days for his passing to the said Parish.*

LIX. If any Person, who hath a legal Settlement, be found wandering and begging, and misordering himself, he, as well as a Vagabond, may be ordered by the Justice to be whipped until he is bloody, or may be sent to the House of Correction, there to be kept to hard Labour, before he be sent by an Order or Pass, and afterwards shall be sent by such Order or Pass; which Punishment of Whipping and Conveying to the House of Correction, the Constable, or other Person, having Authority from the Justice, is to see that it be duly performed.

LX. Persons apprehended on a general Privy Search, who upon Examination shall appear to have committed Acts of Vagrancy, and to have no fixed Abode or Employment in the Place where they are apprehended, though they may have acquired a legal Settlement subsequent to their Birth, and be sent to the Place of their Settlement; yet the Charges shall be born in the same Manner as conveying other Rogues and Vagabonds is to be born. And the Justices, if they shall see Cause to judge any such Vagabond to be dangerous to the People where taken, may cause him to be committed to the House of Correction, or to the County-Gaol, there to remain, and be kept at hard Labour till the next Quarter-Sessions: And if the major Part of the Justices there shall adjudge such Person a dangerous and incorrigible Rogue, they shall cause him to be whipped on three Market-Days successively, and to be kept to hard Labour during such Time as they shall think fit. And if he shall break out, or make his Escape, before the Time expired, he shall be guilty of Felony for such Offence.

LXI. Where any Person shall be brought as a Vagabond before Justice, he shall not make a Pass for conveying him to the Place of his Birth, if it shall appear he hath a legal Settlement, upon the Forfeiture of five Pounds for every such Offence to any who will sue for it, by an Action of Debt, in any Court of Record at Westminster, besides Costs.

LXII. Any Person so apprehended, who shall refuse to be examined on Oath concerning the Place of his Birth or Settlement, or giving a false and unsatisfactory Account thereof, shall be deemed as an incorrigible Rogue, and may be punished as such; and the Justice shall inform him of the Punishment during the Time of his Examination.

LXIII. The Justice shall, at the same Time with the Pass, cause to be delivered to the Constable, Headborough, &c. a Certificate, ascertaining how the Person is to be conveyed, either by Horse or Carr, or on Foot, and in what Time, and what Allowance such Officer is to have for conveying him to the Place to which he is to pass.

LXIV. The Constable who shall receive such Pass and Certificate, shall convey the Person therein named in such Manner and Time as in the Pass is directed, the next direct Way to the Place whither he is to be sent, if such Place be in the same County; or if not, then to the first Town of the County named in such Pass, and deliver him to the Constable, &c. with the Pass, taking a Receipt of such Delivery upon the Certificate under the Hand of the Constable, Headborough, &c. who is to receive the same, and sign the Receipt. And upon Application made to a Justice of his proper County, he shall cause such Rogue to be stripped, and openly whipped, or sent to the House of Correction, and there kept at hard Labour for two or three Days; and afterwards conveyed with the former Pass, and a new Order and Certificate, in like Manner as before, *Mutatis Mutandis*, to be made by the said Justice; and so from one County to another, until he shall be brought to the Place whither he was first ordered to be sent, and there delivered to the Constable of the Place, &c. who is to receive him with the Pass, and to sign a Receipt of such Delivery.

LXV. No Constable shall be obliged to receive any Person by a Pass, unless it appear by the Pass that the Person so ordered to be conveyed, hath been whipped or sent to the House of Correction in the County, City, &c. through which he last passed (except Women with Child, Soldiers wanting Subsistence, and having Certificates, or such Persons as the Justices shall judge not able to undergo such Punishment,) which shall be certified in the said Pass.

LXVI. The Justices in Quarter-Sessions shall appoint what Rates or Allowances *per Mile*, or otherwise, shall be made for passing or maintaining Vagrants, and make Orders for the more regular proceeding therein within their Limits, which shall be observed by all other Justices and Constables, &c. therein.

LXVII. The Justices at their Quarter-Sessions may, by such Ways and Means, as Moneys for County Gaols or Bridges raised, cause such Sums of Money to be raised within the Precincts, for the passing and conveying Vagabonds as shall be necessary; which shall be quarterly paid to the chief Constable

of each Division in such Manner, that they may have one quarterly Payment before-hand, who shall account with the Treasurer of the County-Stock twice a Year, or oftner, for the same.

LXVIII. Any Petty Constable, &c. who shall bring to the Chief Constable a Certificate given him by any Justice, ascertaining how and for what Rates he shall be required to convey any Vagabond, together with a Receipt from the Constable to whom the Person was delivered, such Chief Constable shall pay unto him the Rates ascertained in such Certificate, and no more, taking a Receipt ; which the Chief Constable shall discount with the Treasurer of the County-Stock.

LXIX. And if such Petty Constable, &c. shall counterfeit such Certificate, or alter any Sum, or not convey the Person therein intended to be conveyed, he shall forfeit twenty Pounds above the Sum so fraudulently taken ; one Moiety to the Poor of the Parish where such Offence is committed, the other Moiety to the Informer ; to be levied by Distress and Sale, &c. by a Warrant from any Justice of the County where the Offence was done.

LXX. The Justice may examine any Constable, or other Officer, on Oath, whether he did convey the Person he was ordered to convey by any Pass or Certificate, and to whom he delivered such Person ; and if he refuse to be sworn, or if upon Examination it shall appear that he hath neglected his Duty, he shall lose such Allowance as by the Certificate he would otherwise have been entitled unto.

LXXI. The Parish or Place to which any Rogue or Vagabond shall be conveyed by Pass, shall employ him, or place him in some Work house or Alms-house, until he shall betake himself to some Service or other Employment. And if he refuse to work, the Overseers of the Poor, or one of them, may carry him before a Justice of the Peace, to be sent to the House of Correction, and to be kept to hard Labour. And if the Parish shall not care to employ him, but shall encourage or voluntarily permit him to escape or wander about again, and he shall afterwards be taken wandering and begging, or misordering himself, in any other County or Parish, any Justice of the County where such Rogue or Vagabond shall be apprehended, may compute the Charge the County shall be put unto by the apprehending, punishing and passing such Rogues, &c. And the Justice may, by Warrant under his Hand and Seal, cause the Money so computed, to be levied upon any of the Constables, Churchwardens, Overseers of the Poor, so in Default, by Distress and Sale of his or their Goods : And if such Parish which is in Default, shall be in another County, then the Warrant ascertaining such Charges may be brought to some Justice of that County, who shall cause to be levied in Manner as aforesaid : And when levied, it shall be paid to the Use of the County or Place where the Charge shall

shall be expended: And the Constable or Officer upon whom 'tis levied, may put the same in his Rates, which shall be allowed by the Inhabitants of such Parish or Place. The Justices of the County or Place whither any Rogue or Vagabond shall be conveyed by a Pass, may at their Quarter-Sessions, to which such Pass is to be transmitted, enquire of the Default or Neglect of any Officer, or other Person, of any Parish or Place to which a Rogue, &c. shall be brought, in permitting his Escape, and punish the Person offending according to the Merit of his Offence. And if afterwards the Person shall be found wandering and begging again, the Justices on Proof thereof shall send him to the House of Correction, to be kept to hard Labour until the next Quarter-Sessions: And such Person not giving Security for his Good Behaviour for one Year, they may adjudge him a dangerous and incorrigible Rogue, and order him to be punished as such.

LXXII. Persons apprehended, and brought before a Justice, and found to have no Settlement since their Birth, and to have committed any of the Acts of Vagrancy in this Act mentioned, or to have used begging for two Years past, though he had formerly a Settlement, &c. the Justice, instead of passing him away, or punishing him, may commit him to the Custody of him who apprehended him, and on their Refusal to receive him, then to the Custody of any other Person willing to receive him as an Apprentice for seven Years, and no longer; who may detain, employ, and set him to work, either here or in her Majesty's Plantations or *British* Factories beyond Seas, for the said Term of Years.

LXXIII. But no such Person shall be transported till his Master shall become bound in a Recognizance in the Penalty of forty Pounds, that the Person shall be sent to and employed in some of the Queen's Plantations or *British* Factories, and supplied with convenient Necessaries, and to be discharged at the End of seven Years, and in the mean Time not to be sold to any Alien. Which Recognizance any Justice may take, and transmit it to the next Quarter-Sessions, there to be kept on Record.

LXXIV. Any Person aggrieved may appeal to the next Quarter-Sessions of the County where the Order was made, and the Person shall not be sent away till such Quarter-Sessions, whose Determination shall be final: But he may be kept in the House of Correction till then, if the Justices think fit.

LXXV. Where any loose, idle and disorderly Persons, blind, lame, or pretending to be so, or with distorted Limbs, or pretending some bodily Infirmary, shall be found begging in the Streets, &c. and Complaint being made thereof by two or more Inhabitants of the Parish or Place to the Constable, &c. the Constable, &c. shall with Speed cause such Persons to be removed; and if they refuse to be removed, or being once

moved shall offend a second Time, the Constable, &c. shall cause them to be stripped naked from the Shoulders to the Waste, and whipped till their Bodies are bloody: And if the Constable shall neglect it, then upon Oath of two or more Witnesses, within twenty-four Hours, before a Justice, he shall forfeit ten Shillings to the Poor of the Parish, &c. to be levied by Distress and Sale, by a Warrant of a Justice or Justices.

LXXVI. Where any Lunatick shall be found, any two Justices may, by Warrant directed to the Constables, &c. cause him to be apprehended, and kept locked up in such secure Place as they shall think fit, and under their Hands and Seals appoint, and (if they find it necessary) to be there chained, if the last Settlement of such Person be in the said County; and if such Settlement shall not be there, then he shall be sent to the Place of his last legal Settlement, as Vagrants by this Act are directed to be sent, (Whipping excepted,) and kept locked up. And the Charges of maintaining such Person during such Restraint (which shall be only for such Time as the said Lunacy shall continue) shall be paid by the Order of two or more Justices out of the Estate of such Person, if he have any, over and above what shall maintain his Wife and Children; and if he hath not such Estate, then it shall be paid by such Ways and Means as the Poor of such Parish are, by the Laws in Being, to be provided for.

LXXVII. This Act shall not extend to abridge the Queen's Prerogative, or the Authority of the Lord Chancellor, concerning the Premises.

LXXVIII. If any Master of a Ship shall bring into this Realm from Ireland, the Isle of Man, Guernsey or Jersey, or Scilly, or any of the Foreign Plantations, any Rogue, &c. or any Person likely to live by begging, a Native of any of the said Places, and the Person so brought shall be apprehended wandering and begging, such Commander shall forfeit five Pounds for every Rogue so brought over, and also such Sum which shall be necessary to defray the Charges which any Constable, &c. shall be put unto by apprehending and conveying back such Person; and the Constable, &c. where any such Person shall be found wandering and begging, may cause him to be openly whipped, and afterwards put on Board any Ship, to be reconveyed and set on Shore in the same Island from whence he was brought, paying the Passage at such Rate per Head as the Quarter-Sessions shall appoint. And if the Constable, &c. make it appear on Oath, what Expence he hath been put unto upon such Occasion, the Justices may direct the Payment thereof, as also of the Penalty of five Pounds; and on the Master's Refusal or Neglect to pay it, may grant their Warrant to levy it by Distress and Sale of the Ship, or Goods in her, whilst remaining within the Jurisdiction of such Justices; and if gone away, the Order may be removed by *Certiorari* into the Court of Queen's Bench, and there filed on

Record; and then the Judges are to direct Process to stay the said Ship until the Money mentioned in such Order, with the Charges, be fully satisfied, or may award Process to levy it by *Capias*, *Fieri facias* or *Elegit*, against the Master or Owners of the Ship, as the Court shall think most proper.

LXXIX. The Master, &c. on shewing any probable Ground of Grievance by such Order, may traverse it, giving Security in the Penalty of fifty Pounds to answer the Charges of such Traverse, if it should be determined against him.

LXXX. All Masters of Ships, &c. bound for Ireland, &c. shall, upon Warrant to them directed by a Justice of the County or Place where such Ship shall lie, take on Board such Vagrants as shall be named in the Warrant, and shall convey them to such Place in Ireland, &c. as such Ship shall be bound to, or shall arrive at; and the Constable, &c. who serves him with such Warrant shall pay him such Rate per Head as the Quarter-Session shall appoint; and the Master shall sign a Receipt for the Money so paid on the Back of the Warrant, and also for the Vagrants which were delivered to him; which Warrant so endorsed shall be produced to the Justice who signed it; and on his Allowance thereof the Money shall be repaid by the County, as by this Act the Money is to be paid for conveying Vagrants. And any Master refusing to receive on Board, or transport such Vagrants, or to endorse and sign such Receipt, shall forfeit fifty Pounds to the Poor of the Parish, &c. to be levied by Distress and Sale of the Ship, &c. by Warrant of any Justice for the County.

LXXXI. Any Constable, &c. who shall fail of his Duty in the apprehending, punishing or conveying Rogues and Vagabonds, or be otherwise negligent in his Duty, or any Person hindering or disturbing the Execution of this Act, or rescuing any Person apprehended, or be aiding or assisting to his Escape, and shall be thereof convicted by the View of the Justice, or the Oath of one or more Witnesses, shall forfeit for every such Offence twenty Shillings, to the Use of the Poor of the same Parish, to be levied by Distress and Sale of his Goods, by Warrant from one Justice of the same County.

LXXXII. The Act 39 Eliz. For punishing Rogues and Vagabonds, and the Act 1 Jac. 1. For the Continuance and Explanation of the same, and so much of another Act, made 7 Jac. 1. For the Execution of divers Laws and Statutes heretofore made against Rogues, Vagabonds, &c. as relates to the Privy Search, thereby directed to be made, shall be and are hereby repealed.

LXXXIII. This Act shall not extend to disinherit, prejudice, or hinder the Heirs or Assigns of John Dutton of Dutton, late of the County of Chester, Esq; deceased, concerning any Liberty, &c. which they may lawfully use within that County. Palatine of Chester, and the County of the City of Chester, by reason of any

any ancient Charters, or by Prescription, or lawful Usage, or other Title whatsoever.

Westry-men.

I. Stat. 15 Car. 2. cap. 5. An Act for the regulating select Vestries. *Exp.*

Victual, Victuallers, Inn-holders and Hostlers.

I. Stat. 12 E. 2. 6. No Person in any City or Borough, which by reason of his Office ought to keep the Assizes of Wine and Victuals, as long as he shall be attendant upon his Office, shall buy or sell Wine or Victuals, in Pain to forfeit the same to the King, whereof the Prosecutor shall have the third Part of the King's Gift.

II. Stat. 23 E. 3. 6. All Butchers, Fishmongers, Regrators, Hostlers, Brewers, Bakers, Poulterers, and all other Sellers of Victuals, shall sell the same at reasonable Prices, and for moderate Gain, in Pain (upon Proof of the contrary before the Sheriff or the King's Bailiffs, or before the Constables of the Place, by the Evidence of two true Men) to forfeit the double Value thereof to the Party damnified; or (in his Default) to him that will sue for the same: And all Mayors and Head-Officers of Corporations have like Power; and upon Neglect of their Duty herein, shall forfeit the treble Value thereof to the Party or Prosecutor, as aforesaid; and besides shall incur a Fine to the King, to be imposed by the Justices to be assigned by the King.

III. Stat. 31 E. 3. 10. Every Man that bringeth Victual to London, may freely sell the same, without the Interruption or Impeachment of any.

IV. The Mayor and Aldermen of London may rule and redress the Defaults of Fishmongers, Butchers and Poulterers, as they do of such as sell Beer, Ale or Wine, notwithstanding any Franchise, Statutes, Custom, or other Privilege to the contrary: and they shall put the same in due Execution, upon the Pain ordained by the Statute of 28 E. 3. 10. (*which see in London.*)

V. Stat. 6 R. 2. Stat. 12 Q. 2. No Victualler in London, or any other City, Borough, or Port of the Sea, shall exercise any judicial Office there; and in case any be chosen in the Places aforesaid into such Office, he shall forbear to use Victualling during the Time he exerciseth such Office, in Pain to forfeit the Victuals sold.

VI. Stat.

VI. Stat. 6 R. 2. 10. Aliens (being in Amity with the King and Realm) may bring in Vidual, and sell the same in Gros, or by Retail, without the Impeachment of any. See *Stat. 11 R. 2. 7. 1 H. 4. 17. 14 H. 6. 6.*

VII. Stat. 7 R. 2. 11. All Vintners and Viduallers, as well Fishmongers as others, coming with their Viduals to *London*, shall be under the Governance of the Mayor and Aldermen of that City, as hath been heretofore used.

VIII. Stat. 13 R. 2. 8. Viduallers shall sell their Viduals at such reasonable Prices as shall be set down by the Justices of Peace in two of the Sessions, to be holden betwixt *Easter* and *Michaelmas*, in Pain to be punished at the Discretion of the said Justices, where no Pain is already limited in certain.

IX. And here Sheriffs, Stewards, Mayors, Bailiffs, and all others which have Power to keep Assize of Bread and Ale, shall take no Fine or Amerciament for any Default touching the Assize, for which the Offender ought by Law to have bodily Punishment.

X. Stat. 23 H. 6. 13. Justices of Peace shall twice every Year cause all Statutes concerning Viduallers (before this Time made) to be openly proclaimed in Sessions.

XI. Stat. 12 E. 4. 8. No Person (other than Mayors, Bailiffs, Lords of Leets, or others in point of Charter) shall execute any Office of searching or surveying of Wine, Ale, Beer, or any other Vidual, or of the Correction of breaking the Assize thereof, in Pain to forfeit 40 *l.* to be divided betwixt the King and the Prosecutor. And all Letters Patent of the King granted for that Purpose shall be void.

XII. Stat. 3 H. 8. 8. When a Vidualler (in a City or Corporation) is chosen to bear an Office, by reason whereof he ought also to have the assizing of Vidual during that Time, two other (being no Viduallers) shall be joined and sworn with him, truly to assess and set Prices and Assizes of Vidual there, and they shall be sold accordingly. But here the Officers in *London*, *Tork* and *Covenry* are excepted.

XIII. Stat. 25 H. 8. 2. The Prices of Vidual in all Places (except Corporations) shall be assessed by the King's Counsellors, Justices of either Bench, and some other great Officers: For which see the Statute at large.

XIV. Pro-

XIV. Provided, that Head-Officers in Corporations, and others having Authority to prize Viſtual, may ſtill aſſeſs the Prices thereof, as if this Statute had not been made.

XV. No Corn, Beefs, Muttons, Veals, Porks, or other Viſtual, ſhall be transported beyond Sea, except for Viſtualling of Ships, and barrell'd Butter, and Meal to be carried into *Iſland*, in Pain to forfeit the Value thereof, to be divided betwixt the King and the Proſecutor.

XVI. Stat. 2 & 3 E. 6. 15. Butchers, Brewers, Bakers, Poulterers, Cooks, Coſtermongers or Fruiterers, which conſpire or promiſe together, that they will not ſet their Viſtual but at certain Prices, ſhall forfeit for the firſt Offence 10 l. to the King, and if they pay it not within ſix Days after Conviction, they ſhall ſuffer twenty Days Imprisonment, and during that Time ſhall have no Suſtenance but Bread and Water; for the ſecond Offence they ſhall forfeit 20 l. and that not paid within ſix Days as aforeſaid, ſhall ſuffer the Pillory; and for the third Offence ſhall forfeit 40 l. and that not paid within the Time above limited, ſhall again ſuffer the Pillory, loſe one of their Ears, and be ever after taken as Men infamous and not to be credited. And if ſuch Conſpiracy be acted by the major Part of the Company of ſuch Viſtuallers, the Corporation ſhall be thereupon diſſolved.

XVII. Juſtices of Peace, Mayors, Bailiffs and Stewards in Seſſions, Leets and Courts, have Power to hear and determine theſe Offences. Continued and confirmed 22 & 23 Car. 2. cap. 19. and 1 Jac. 2. cap. 17.

XVIII. Stat. 1 & 2 P. & M. 5. None ſhall transport beyond Sea, or into *Scotland*, any Corn or Grain of *Engliſh* Growth, or Malt made there, or any Beer, Butter, Cheeſe, Herring or Wood, without lawful Authority; in Pain that the Owner of the Veſſel in which they are ſo transported, ſhall forfeit his Veſſel; the Owner of the ſaid Commodity ſo transported, the double Value thereof; and the Maſter and Mariners all their Goods, and ſuffer a Year's Imprisonment without Bail. Neither ſhall any convey by any Veſſel any of the aforeſaid Commodities to any other Ship or Veſſel to be transported, in Pain to incur the like Forfeitures and Penalties.

XIX. The one Moiety of the ſaid Forfeitures ſhall accrue to the King and Queen, and the other to the Proſecutor.

XX. In Caſe the King and Queen, their Heirs or Succeſſors, grant Liſenſe to transport ſuch Commodities, the Liſenſed ſhall not tranſport more than the Liſenſe allows, in Pain to forfeit the treble Value thereof, and to ſuffer a Year's Imprisonment without Bail: And ſuch Liſenſed ſhall ſhip the ſaid Commodities at one and the ſame Place, in Pain to forfeit all his Goods and

and Chattels, to be divided as followeth, viz. the one Moiety to the King and Queen, and the other to the Prosecuror.

XXI. Justices of the Peace have Power to examine all Offenders against this Act, and to hear and determine (by the Oaths of twelve lawful Men) the Offences committed against the same.

XXII. Provided, That when Wheat shall not exceed the Price of 6 s. 8 d. Rye of 4 s. and Barley of 3 s. 4 d. the Quarter, it shall be lawful to transport them, notwithstanding this Act. Neither shall this Statute impeach the necessary Vitualling of Ships, or the Admiral's Jurisdiction. Howbeit, as to the Transportation of Corn, this Statute hath since been divers Times altered by sundry subsequent Acts, viz. 13 El. 13. 1 Jac. 1. 25. 21 Jac. 1. 28. 3 Car. 1. 4. 1 W. & M. Sess. 1. c. 12. 10 W. 3. c. 13. 11 W. 3. c. 1. 1 A. c. 16. 8 A. c. 2. and c. 11. All which see in Vol. 1. Title Corn.

XXIII. Stat. 21 Jac. 1. 21. The Statute of 32 H. 8. 41. together with other Statutes concerning Horse-bread is repealed.

XXIV. Inn-holders and Hostlers shall make no Horse-bread; shall sell their Hay, Provender and Vituals at reasonable Prices, and shall take nothing for Litter.

XXV. This Act shall not restrain those that live in a Thoroughfare (which is no Market-Town, and wherein there is no Baker) to make Horse-bread, according to the just Assize.

XXVI. Justices of Oyer and Terminer, Justices of Peace, Sheriffs in Turns, and Stewards in Leets, have Power to hear and determine these Offences.

XXVII. If any Inn-holder or Hostler which hath Power (by this Act) to make Horse-bread, observe not the Assize, or if he or any other offend this Law in any other Kind whatsoever; for the first Offence they shall be fined, for the second suffer a Month's Imprisonment without Bail, for the third be set upon the Pillory, and for the fourth shall be fore-judged from ever keeping an Inn again.

View.

1. Westm. 2. 48. 13 E. 1. View of Land shall not be granted but where it is necessary. For Example, If one lose Land by Default, and afterwards moveth for a Writ to demand the same Land; or when one by an Exception dilatory abateth a Writ after a View had, as by Non-tenture, misnaming of the Town, or the like: in these Cases, upon Purchase of another Writ, View shall not be granted, if he had View in the first Writ. So in a Writ of Dower, when the Dower in Demand is of Land, which the Husband aliened to the Tenant or his Ancestors, whereof the Tenant ought not to be ignorant; here, albeit the Husband

Husband died not seised, yet View shall not be granted to the Tenant. Also in a Writ of Entry, which abated because the Demandant misnamed the Entry; here, if the Demandant purchase another Writ of Entry, the Tenant having had View in the first Writ, shall not have it in the second. Likewise in all Writs where Lands are demanded by reason of a Lease made by the Demandant for his Ancestor to the Tenant himself, being within Age, *Non compos mentis*, in Prison, or the like, View shall not be granted; but if the Demise were made to his Ancestor, View shall lie, as hath been heretofore used.

II. Stat. *De visu terra, & Essoin de servitio Domini regis*, 12 E. 3. View shall be granted in a Writ of Ward, of Customs and Services, of Advowson of a Church, (*viz.* when there be more Churches than one in a Town, and all of one Saint) of Dower to be assigned, and of *Nuper obiit*.

Villainage.

I. The Stat. of Purveyors, cap. 18. 25 E. 3. Notwithstanding Adjournment made in Eyre by Writ *de Libertate probanda*, purchased in Favour of Villains, to delay their Lords in their Actions for such Villains, the Lord may in all Writs plead the Exception of Villainage against them, whether such Writ were purchased by Deceit or otherwise. The Lords may also seize their Bodies, as well as they might have done before such Writs *de Libertate probanda* purchased.

II. Stat. 38 E. 3. 17. No Writ shall be abated by Exception of Cognizance of Villainage, if the Demandant or Plaintiff will aver, that the Party alledging the Exception was free the Day of the Writ purchased.

III. Stat. 9 R. 2. 2. Because divers Villains and Niefs did flee to London, and other enfranchised Places, and there did feign divers Suits against their Lords, with Intent to make themselves free by their Lords Answers; it was ordained, that no Lord shall be barred of his Villain, because of his Answer in Law.

Union and Sebering of Churches.

I. Stat. 37 H. 8. 21. An Union or Consolidation of two Churches in one, or of a Church and a Chapel in one, the one of them not being above the yearly Value of 6 l. in the King's Books, nor distant from the other above a Mile, may be had and made, by the Assent of the Ordinary, the Incumbents, and all such

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such as have a just Right, Title and Interest to the Patronage thereof, being of full Age: And all such Union and Consolidation shall remain as good in Law as if it had been so declared by Writing under Seals of such Ordinary, Incumbents and Patrons.

II. All such Unions heretofore made are confirmed: Howbeit, the King's Tenth and First-fruits of such Churches and Chapels already or hereafter to be consolidated, are saved.

III. Such Consolidations shall not be in Corporate Towns without the Consent of the Magistrates thereof, declared in Writing under their Common Seal.

IV. Provided, That where the Inhabitants of any such Parish, or the more Part of them, within a Year after such Union, by their Writing sufficient in Law, shall assure the Incumbent there and his Successors so much Money yearly, which together with the Value thereof in the King's Books, shall amount to 8 l. that then such Union shall be void. Howbeit, this Proviso shall not extend to any such Union made before this Statute.

V. Stat. 1 E. 6. 9. An Act for uniting certain Churches in York, with divers Clauses concerning that Matter.

VI. Stat. 1 M. Sess. 2. cap. 15. An Act for re-edifying the Church of St. Ellins in Stangate in York, which was demolished by the former Statute. See those Statutes at large.

VII. Stat. 17 Car. 2. cap. 3. In every City or Town Corporate and their Liberties, where two or more Churches or Chapels, or a Church and a Chapel and Parishes thereto belonging are, the Bishop of the Diocese, with Consent of the chief Officer or Officers there, or the major Part of them, and of the Patrons of such Churches, &c. may unite them, and appoint where the Parishioners shall meet, and which shall be united to the other. And the Parishioners shall pay all Tithes and other Duties to the Incumbent of the Church to which the other is united.

VIII. Notwithstanding such Union, the Parishes shall continue distinct as to all Rates, Taxes, Parochial Rights, Charges and Duties, and all Respects whatsoever, other than what is above-mentioned; and Churchwardens shall be appointed for each as before.

IX. Where one or more of the said Churches are full at the Time of such Union, it shall take Effect at the next Avoidance after. The Patrons shall present by Turns to that which remains, in such Order, as the Bishop with Consent of the chief Officers there, or the major Part of them; and of the Patrons, &c. shall decree, Respect being had to the Differences of the Maintenance.

X. No such Union shall be good in Law till it be registred in the Register-Book of the Bishop of the Diocese; nor where the Maintenance of the Church or Churches so united shall exceed

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100 l. per Annum clear, unless the Parishioners, or the major Part of them, under their Hands desire otherwise. The Incumbents of Churches so united must be Graduates in one of the Universities.

XI. Owners of Improvements, Tithes, &c. may annex the same to the Parsonage or Vicarage where they lie, or settle them in Trust for the Curates, where the Parsonage is impropriate and no Vicarage endowed, without any License of Mortmain.

XII. If the settled Maintenance of any Parsonage or Vicarages, Churches or Chapels so united, or of any other Parsonage or Vicarage with Cure, shall not amount to 100 l. per Annum clear, the Incumbent may purchase to him and his Successors, Land, &c. without License of Mortmain.

XIII. Inhabitants of Parish united to contribute to Repairs and Ornaments of Church, by Stat. 4 & 5 W. & M. Sess. 4. cap. 12.

Universities.

I. Stat. 2 & 3 P. & M. 15. No Purveyor, Taker, Badger, Loader, or other Minister, shall take or bargain for any Victual or Grain in the Markets of Oxford or Cambridge, or in any Part of the said City and Town, or within five Miles Compass of either of them, without the Consent of the Owner; nor shall take away or bargain for any such Commodity, bought or provided within the said five Miles by any common Minister of any College or Hall, there to be spent in such College or Hall, in Pain to forfeit the quadruple Value thereof, and to suffer three Months Imprisonment without Bail.

II. The Chancellor or Vice-Chancellor, or his Commissary, in either of the said Universities, with two Justices of Peace of the County adjacent, have Power to enquire, hear and determine the said Offences.

III. The Forfeitures shall be divided betwixt the University where such Offence is committed, and the Prosecutor; and may be recovered in any Court of Record, or before the said Chancellor, Vice-Chancellor, or Commissary, and two Justices.

IV. This Act shall be suspended during the Queen's Presence, her Heirs and Successors, or within seven Miles Distance therefrom.

V. The Liberties of the Mayors, Bailiffs and Commonalties of Oxford and Cambridge are saved.

VI. Stat. 13 El. 21. No Purveyor, Taker, Badger, Loader, Poulterer, or other Minister of the Queen, her Heirs and Successors, shall take or bargain for any Grain or other Victual in either of the said Universities, nor within the Compass of five Miles from either of them, without Licence of either of the said Chan-

Chancellors or Vice-Chancellors, in Writing under the Seal of their Office, and not otherwise than as in the said Licence is expressed, and so as the same give unto them no farther Power than they may lawfully use in other Parts of the Country without the said five Miles; neither shall they take or bargain for any such Commodity bought and provided for any College or Hall, to be spent within the same, without such Licence, as aforesaid, upon such Pains and Forfeitures as by the Statute of 2 & 3 P. & M. 15. are ordained, and to like Uses as are therein limited.

VII. The said Chancellors or Vice-Chancellors, with two Justices of Peace of the Universities, City, Town or Country, shall enquire, hear and determine the said Offences, as by the Statute of 2 & 3 P. & M. is appointed.

VIII. If any Person within the said five Miles refuse to serve the Universities, then it shall be lawful for the Queen's Purveyors to provide for the Queen's Use any Corn or Victual of any such Person within the said five Miles, as shall be declared to the said Purveyors to be Persons not worthy of the said Privilege, for not serving the Universities, by the Chancellor or Vice-Chancellor, with the Consent of two such Justices, as aforesaid, under the Hands and Seals of the said Chancellor or Vice-Chancellor and two Justices, in such Sort as the said Purveyors lawfully may in any other Place without the said five Miles, and not otherwise.

IX. This Act shall be in Suspence during the Queen's Presence there, or within seven Miles Distance.

X. The Liberties of the Mayors, Bailiffs and Commonalties of Oxford and Cambridge, are saved.

Voucher.

I. *Parlb. 24. 52 H. 3.* None vouched to Warranty before Justices in Eyre in Plea of Land, shall be amerced, because he was not present when he was vouched, except it be the first Day of the coming of the Justices; but if the Party be within the County, the Sheriff shall cause him to come in within three or four Days; if out of the County, he shall have Summons of fifteen Days at least.

II. *Westm. 1. 40. 3 E. 1.* In Writs of Possession, as *Mortd'ancestor, Cosinage, Ayel, Nuper obiit, Intrusion*, or the like, whereby Land is demanded which ought to descend, revert, remain or escheat by the Death of any Ancestor or otherwise, if the Tenant vouch to Warranty, and the Demandant will counterplead him, and aver by Assize, or by the Country, as the Court shall award, that the Tenant or his Ancestor (whose Heir he is) was the first that entred after the Death of him, of whose Seisin he demandeth,

demandeth, this Averment shall be received, if the Tenant will abide thereupon; but if not, he shall be compelled to another Answer, unless he have his Warrantor present, who will immediately enter into the Warranty: And then also the Demandant may have the like Exception against the Vouchee as he had against the first Tenant.

III. In a Writ of Entry in the Degrees none shall vouch out of the Line.

IV. In Writs of Right and of Possession (as before) it is also a good Counterplea, that neither the Vouchee nor his Ancestors had ever Seisin of the Land, or any Thing in the Services by the Hand of the Tenant or his Ancestors, from the Time of the Seisin, whereof the Demandant declares, until the Writ purchased, so that he might make a Feoffment to the Tenant or his Ancestors; and this Averment of the Demandant shall be also received, if the Tenant will abide thereupon; but if not, the Tenant shall be compelled to another, as before, unless the Vouchee be present, and will immediately enter into Warranty; and then also the Demandant may have like Exception as before.

V. If the Tenant have a Deed that comprised Warranty of another Man, his Recovery by a Writ *de Warrantia carta* out of the Chancery shall be saved to him; howbeit the Plea shall not be delayed by reason thereof.

VI. Stat. of Gloucester, 12. 6 E. 1. If a Man impleaded for a Tenement in London vouch a Foreigner to Warranty, he shall have a Writ out of the Chancery, to summon the Warrantor at a certain Day before the Justices of the Bench, and another to the Mayor and Bailiffs of London, to surcease the Matter before them until the Plea of the Warranty be determined in the Bench; and when the Plea at the Bench shall be determined, then shall the Vouchee be commanded to go into the City to answer the chief Plea; and a Writ shall also be awarded at the Demandant's Suit, by the Justices to the Mayor and Bailiffs, to cause them to proceed in the Plea: And if the Demandant recover against the Tenant, the Tenant shall come before the Justices of the Bench, who shall direct a Writ to the Mayor and Bailiffs, to cause the Land so lost by the Tenant to be extended and valued, and to return that Extent at a certain Day unto the Bench; and after the Sheriff of the County (where the Warranty was summoned) shall be commanded to deliver to the Voucher Land of the Vouchee, answerable in Value to the Land that the Voucher hath lost. See a Correction and some other Enlargement of this Statute E. 1.

VII. Westm. 2. 6. 13 E. 1. As the Tenant shall lose the Land in Demand, in case where his Vouchee dischargeth himself of the Warranty; so also shall the Vouchee lose, where he denieth

denieth the Warranty, and it be tried against him. Also where an Inquest is depending between the Tenant and his Vouchee, and the Demandant will require a Writ to cause the Jury to come, it shall be granted him.

VIII. Stat. of Vouchers, 20 E. 1. This Counterplea of Voucher, *viz.* that neither the Vouchee nor his Ancestors had ever any Thing in the Land, so that he might make a Feoffment with Warranty, shall be received, albeit the Vouchee be ready to enter into Warranty.

IX. Stat. 14 E. 3. 18. Where the Tenant voucheth to Warranty a dead Man, the Demandant shall be received to aver that the Vouchee is dead, and that there is none such.

Upholsters.

I. Stat. 11 H. 7. 19. None shall put to Sale in Fairs or Markets any Feather-beds, Boulsters or Pillows, except such as are stuffed with one Sort of Stuff, *viz.* dry pulled Feathers, or clean Down, and not with scalded Feathers, Fen-Down, or any other unlawful corrupt Stuff, in Pain to forfeit the same; howbeit any (for their private Use) may make, or cause to be made any such unlawful Stuff or Wares, so as the same be not exposed to Sale in Fairs or Markets, upon the like Pain.

II. Also Quilts, Mattresses and Cushions, shall be stuffed with one Sort of Stuff only, viz. clean Wool, or clean Flocks, and not with Horse-hair, Fen-Down, Neats-hair, Goats-hair, or other unlawful Stuff, in Pain to forfeit the same.

III. Stat. 5 & 6 E. 6. 23. None shall make (to the Intent to sell or offer to be sold) any Feather-bed, Boulster or Pillow, except the same be stuffed with dry pulled Feathers, or clean Down only, without mingling of scalded Feathers, Fen-down, Thistle-down, Sand, Lime, Gravel, or other unlawful or corrupt Stuff, in Pain to forfeit the same (so offered to be sold) or the Value thereof.

IV. None shall make (to the Intent to sell or offer to be sold) any Quilt, Mattress or Cushions, stuffed with any other Stuff than Feathers, Wool, or Flocks alone, in Pain to forfeit the same (so sold or put to Sale) or the Value thereof.

V. The Forfeitures aforesaid are to be divided betwixt the King and the Prosecutor.

Uses.

I. Stat. 1 R. 3. 1. All Grants, Conveyances, Recoveries and other Assurances, made by *Cestuy que use*, (being of full Age, *corpus mentis*, and at large) shall be good against him, and all others claiming as his or her Heirs, or to his Use. But here the Right of all others is saved.

II. Stat. 1 H. 7. 1. The Demandant in a Formedon (in Descender or Remainder) may have his Action against the Pernor of the Profits, and such Pernor shall have such Voucher, Lien, Aid-Praier, and all other Advantages, as he should have if he were Tenant indeed; or his Feoffors should have if the Action were brought against them: And if such Pernor happen to die, his Heir being within Age, his Heir shall also have his Age, and all other Advantages, as if his Ancestor had died seized of the Land in Demand. Also all Recoveries had against such Pernors, their Heirs or their Feoffees, or Co-feoffees and their Heirs, shall be as good as if such Pernors were Tenants indeed, or Feoffees to their Use, at the Time of such Actions brought.

III. Stat. 3 H. 7. 4. All Deeds of Gift of Goods and Chattels made in Trust to the Use of the Grantor, shall be void.

IV. Stat. 19 H. 7. 15. The Sheriff, or other Officer, having a Writ to execute upon Lands against any Person upon any Judgment, Statute or Recognizance, may deliver Execution to the Plaintiff of all Lands and Tenements whereof any other is seized to the Use of him against whom Execution is sued.

V. Also the Heir of *Cestuy que use* of Land in Socage shall pay Relief, Heriot, and all other Duties, to the Lord of the Fee, as if his Ancestors had died seized thereof.

VI. Howbeit, upon such Execution served, as aforesaid, *Cestuy que use* shall have all such Advantage as he might have if he were seized of the Land.

VII. *Cestuy que use* being a Bondman, the Land may be seized by his Lord.

VIII. Stat. 27 H. 8. 10. Where any Person or Persons stand or be seized of any Honors, Manors, Lands, Tenements, Rents, Services, Reversions, Remainders, or other Hereditaments, to the Use, Confidence or Trust of any other Person or Persons, or of any Body Politick, by reason of any Bargain, Sale, Feoffment, Fine, Recovery, Covenant, Contract, Agreement, Will, or otherwise; in every such Case, every such Person and Persons, and Bodies Politick having such Use, Confidence or Trust in

Fee-simple, Fee-tail, for Life or Years, or otherwise, or any Use, Confidence or Trust, in Remainder or Reverter, shall stand and be seized, and deemed and adjudged in lawful Seisin, Estate and Possession of and in the Honors, Castles, &c. with the Appurtenances, of and in such like Estates as they have in Use, Trust or Confidence of or in the same: And the Estate, Title, Right and Possession of such Person or Persons as are seized of any Lands, Tenements or Hereditaments, to the Use, Confidence or Trust of any such Person or Persons, or Body Politick, shall be deemed and adjudged to be in him or them that have such Use, Confidence or Trust, of any such Quality, Manner, Form and Condition, as they had before in or to the Use, Confidence or Trust that was in them.

IX. When divers Persons are so seized to the Use, Confidence or Trust of any of themselves, they amongst them that have such Use or Trust, shall likewise have the Seisin, Estate and Possession, in such Quality, Manner and Condition, as they had the Use or Trust.

X. Howbeit, the Right, Title, &c. of all other (except of the Persons so seized to any Use or Trust) is saved; and all former Right, Title, &c. is also saved to them.

XI. Where any be seized to any Use or Intent, that another shall have a yearly Rent out of the same Lands, *Cestuy que use* of the Rent shall be deemed in the Possession thereof, of like Estate as he or she had that Use, and shall distrain for Non-payment of the said Rent, and make Avowries, Conusances and Justifications, and use all other Remedies therein, as if the said Rent had been actually granted to such *Cestuy que use*.

XII. Where an Estate is made in Possession or Use to Husband and Wife, and his Heirs, or the Heirs of their two Bodies, or of one of their Bodies, or to them for their Lives, or for the Wife's Life for her Jointure; in any of these Cases she shall not have Dower. Howbeit, upon a lawful Eviction of that Jointure, she shall be endowed according to the Rate of her Husband's Lands whereof she was dowable.

XIII. Such a Jointure being made after Marriage, the Wife (after her Husband's Death) may refuse it, and betake her to her Dower, unless such Jointure be made by Act of Parliament.

XIV. Provided, That this Act shall not extinguish, release, discharge or suspend any Statute, Recognizance, or other Bond, by the Execution of any Estate settled by Force of this Act.

XV. All Wills and Testaments heretofore made, or hereafter to be made before the first of May, 1536, shall be good in Law, in such Manner as they were commonly taken and used within forty Years before the making of this Act.

XVI. The King shall not take Advantage by Occasion of the executing of any Estate by Authority of this Act, before the first of May, 1536, viz. by having or demanding any *Primer Seisin*, Livery, Custer

Ouster le main, Fine for Alienation, Relief or Heriot ; but after that Time Fines for Alienations, Reliefs and Heriots, shall be paid to the King; and also Liveries and *Ouster le mains* shall be used for Utes, Trusts and Confidences, which shall be from thenceforth made and executed in Possession by Force of this Act; neither shall any other Lord demand or take any Fine, Relief or Heriot, by Occasion of this Statute, before the first Day of May, 1536.

XVII. This Act shall not be prejudicial to any Person or Persons born in *Wales*, or the Marches thereof, who have any Estate to them executed by Force of this Act in any Lands in this Realm, whereof any other Person now stands seized to their Use; but such Person or Persons born there may lawfully have and keep all such Lands by Authority of this Act, according to the Tenor thereof.

Usury.

I. Stat. 37 H. 8. 9. None shall sell his Wares or Merchandize to any, and within three Months after buy the same again at a lesser Price, knowing them to be the same Wares; or buy any corrupt Bargain of Wares, Money, or other Things, or buy any Mortgage of Land, and take in Gain, for giving Day of Payment, more than according to the Rate of 10 l. per Cent. for one whole Year; in Pain to forfeit the treble Value of the Profits of such Lands mortgaged, to be divided betwixt the King and the Prosecutor; and besides to suffer Imprisonment, and make Fine at the King's Will.

II. Stat. 13 El. 8. All Bonds, Contracts, and Assurances upon Usury, in lending or doing any Thing contrary to the Statute of 37 H. 8. 9. shall be void; and all Brokers and Solicitors thereof shall be adjudged and used as Counsellors, Attorneys or Advocates in the Case of *Premunire*.

III. He that takes no more than after the Rate of 10 l. per Cent. or less, shall only forfeit the Interest, to be recovered and employed as the Forfeitures of 37 H. 8. 9.

IV. Justices of Oyer and Terminer, of Assize, and of Peace, in their Circuits and Sessions, and Mayors, Sheriffs and Bailiffs of Cities, have Power to hear and determine all Offences committed against 37 H. 8. 9.

V. The Statute of 37 H. 8. 9. shall be construed largely and strongly against the Party offending by any Way or Device, directly or indirectly.

VI. This Act shall not extend to any Allowances or Payments for the finding of Orphans, according to the ancient

Rates of *London*, or of any other City, where Order is taken for their Custody and Goods, as in *London*.

VII. The Offender against the Statute of 37 H. 8. 9. may also be punished by the Ecclesiastical Laws.

VIII. Stat. 21 Jac. 1. 17. None shall upon any Contract directly or indirectly take for a Loan of any Money or other Commodities above the Rate of 8 l. per Cent. for one whole Year, in Pain to forfeit the treble Value of the Money, or other Things lent.

IX. No Scrivener, Broker, or Solicitor, shall take or receive, directly or indirectly, for Brokage, above the Rate of 5 s. for the Loan of 100 l. for one whole Year, nor above 12 d. for making a Bond, in Pain to forfeit 20 l. to be divided betwixt the King and the Prosecutor, and also to suffer six Months Imprisonment.

X. Stat. 12 Car. 2. cap. 13. None shall take, directly or indirectly, for the Loan of Money, or any Commodities, above the Value of 6 l. for the Forbearance of 100 l. for a Year, and so after that Rate, all Bonds, Contracts, &c. whereupon more shall be reserved, shall be void. They that receive more shall forfeit treble the Value of the Money or other Things lent.

XI. Scriveners, Brokers, Solicitors, &c. that shall take for Brokage, directly or indirectly, above the Rate of 5 s. for the Loan or Forbearing of 100 l. or 12 d. for making a Bond or Bill concerning the same, shall forfeit 20 l. and have Imprisonment for half a Year. The one Half of these Forfeitures to be to the King, the other Half to the Prosecutor. Confirmed 13 Car. 2. cap. 14.

Wager of Law.

I. Magna Charta, 28. 9 H. 3. **N**O Bailiff shall put any Man to his oath by Law, or to an Oath, upon his own bare Saying, without faithful Witnesses brought in for the same.

II. Stat. 38 E. 3. 5. Any Man may Wage his Law (by sufficient People of his Condition) against *Londoners* Papers, and the Creditor shall take Surety otherwise, if he please; but shall not put the Parry to plead to the Enquest, unless he will do so of his own Accord.

III. Stat

III. Stat. 5 H. 4. 8. In Actions of Debt upon Arrearages of an Account, feigning (to the Intent to put the Defendants from their Law) that the same was found before their Apprentices or Servants, as Auditors assigned therein, it shall be in the Judges Discretion, upon the Examination of the Attorneys (or whom else they please) to receive the Defendants to their Law, or to try the same by Enquest.

Wagers.

I. Stat. 7 A. cap. 17. Enacted, That after the last of March, 1709, all Wagers laid upon a Contingency relating to the present War, and all Policies of Assurance, and Writings for the Payment of any Money on such a Contingency, shall be void: And all Persons making such Wagers, &c. and all Brokers and other Persons concerned therein, shall forfeit double the Sums for which such Wagers, &c. were laid; one Moiety to the Queen, the other Moiety to him who will sue for it.

II. This Act shall not extend to any Assurance of a Ship or Vessel employed in a Voyage, &c.

Wales.

I. In the second Volume of the Book of old Statutes is a long Act made Anno 12 E. 5. Intituled, Statuta Wallie, whereby it appeareth that Wales was then incorporated and united to England; and there you shall also find many good Laws concerning the Division of Wales into Counties, Trials and Divisions of Actions, together with divers Forms of Writs, and the Proceedings thereupon much like to the Laws of England. For all which see there that Act at large.

II. Stat. 28 E. 3. 2. All Lords of the Marches of Wales shall be perpetually attending and annexed to the Crown of England, as they and their Ancestors have been in Times past, and not to the Principality of Wales, in whose Hands the same shall come.

III. Stat. 9 H. 4. 4. No Thief or Felon in Wales (openly known) shall be suffered to disclaim out of the Seigniorie where the Felony was committed; but such Manner of Disclaimer shall be from henceforth utterly put out; and such Thieves shall be put to answer to Indictments and other Accusations in the Seigniorie where they are taken, without being delivered by disclaiming, or Letters of Mark.

IV. Stat. 2 H. 5. Stat. 2. 5. If a Welshman, that doth forcibly take and detain an Englishman until he be ransomed, will not upon Process awarded against him by the Justices, appear and answer the same until he be outlawed; the Justices shall certify the same under their Seals to the Officers of the Seignories where such Outlaw is, who shall apprehend and do Execution upon him according to the Law. But this is now altered by 27 H. 8. 26. which see after.

V. Stat. 26 H. 8. 4. Forthwith upon the Charge given to an Enquest in Wales, or the Marches thereof, upon any Traverse against the King, or Trial of any Recognizance broken, or any Forfeiture due to the King, or upon Trial of any Murderer, Felon or Accessary, an Officer or other Person shall be deputed and sworn in open Court for the true keeping of the Jurors, who (without special Order of the Court) shall not suffer them to have any Bread, Drink, Meat, Fire or Light, nor to speak to any Person whatsoever, nor shall speak to them himself, before they are agreed upon their Verdict, unless it be only to ask them whether or no they are agreed; and all this such Keeper shall observe, in Pain to be imprisoned and fined at the Discretion of the Court.

VI. Here, if the Jurors give any untrue Verdict against the King, contrary to good and pregnant Evidence, or otherwise misdemean themselves, the Lord President and Council upon Complaint thereof) have Power to convent them before the said Council, and to punish them at their Discretions.

VII. Stat. 26 H. 8. 6. All Persons dwelling in Wales, or the Marches thereof, upon Warning of any Court to be kept within their respective Limits, shall appear there in proper Person to do their Service, in Pain of such Fines, Forfeitures and Amerciaments, as shall be assessed upon them by the respective Courts where they owe such Service, to be levied by Distress, to the Use of the King, within his Lordships there, and of other Lords Marchers within theirs.

VIII. If any Steward or other Officer there do feign any untrue Surmise against any Person that shall so appear, as aforesaid, and thereupon commit him to Prison, contrary to Law, or the Custom of that Lordship, the Commissioners or Council (upon Complaint) have Power to send for such Steward or Officer; and if upon good Proof it be found that the Party was so imprisoned without lawful Cause, they shall assess such Steward or Officer to pay him 6 s. 8 d. for every Day of his Imprisonment, or more at their Discretions, as the Damage shall deserve; the Commissioners shall also fine him to the King's Use, whether he appear or not,

not, and may compel him by Imprisonment to pay such Fines and Penalties both to the King and the Party grieved.

IX. None in *Wales*, or the Marches thereof, coming to any Sessions or Court there, shall bring or cause to be brought thither, or to any other Place within two Miles thereof, or to any Town, Church, Fair, Market, or other Congregation, except upon a Hue and Cry, into the Highway, in Affray of the Peace of the King's People, any Bill, Low-bow, Cross-bow, Hand-gun, Sword, Staff, Dagger, Halbert, Morespike, Spear, or any other Weapon, Privy Coat, or Armour, in Pain to forfeit the same; unless it be by the Command or Licence of the Justices, a Steward and other Officer, or of the Commissioners or Council there.

X. None, without the Commissioners Licence in Writing, shall there, or in the Counties thereto adjoining, require or levy any *Commons Bydal*, Tenants Ale, or other Collection, or exact any Money, Goods, or other Thing, under Colour of Marriage, or suffering of their Children saying or singing the first Masses, or Gospels of any Priests or Clerks, or for the Redemption of any Murder, or other Felony, or for any other Cause whatsoever; or shall make or procure to be made any Games of Running, Wrestling, Leaping, or any other Games, the Game of Shooting only excepted; in Pain to suffer a Year's Imprisonment, and to be fined at the Discretion of the Commissioners, who shall by this Act have Power to hear and determine the said Offences: Neither shall any cast any *Artel* in any Court there, by reason whereof it may be letted or discontinued at that Time, in Pain to suffer a Year's Imprisonment.

XI. Courts in *Wales*, and the Marches thereof, shall be kept in the most sure and peaceable Place of each Lordship Marcher, where the Justice, Steward or other Officer thereof shall appoint.

XII. Justices of Peace and Gaol-Delivery in the Counties next adjoining to *Wales*, where the King's Writ runneth, may hear and determine the Offences of Counterfeiters, Washers, Clippers or Diminishers of Coin, and all Felonies, and their Accessories, committed in *Wales*, or the Marches thereof: And Acquittal or Fine-making for any of the said Offences in any Lordship Marcher, shall be no Bar for any Person or Persons indicted for the same within two Years next after such Offence committed.

XIII. The said Justices of Peace and Gaol-Delivery have Power to award all manner of Process, as well of Outlawry or otherwise, against every such Offender, and shall send to the Lord or Officer of the Lordship where the Offender is resiant, a Certificate under the Seals of two of them at least, of any such Outlawry or Attainder, commanding him under the Pain of 100 £. to be forfeited to the King, to apprehend, or cause to be apprehended, the Body of such Offender, and safely to keep him until such convenient Time, before the next Gaol-Delivery of the County where he was so outlawed, as shall be thought fit for his Con-

veyance thither : and then he shall be conveyed from Marcher to Marcher, by the Lords or Officers thereof, to the said next Sessions of Gaol-Delivery of the County where he was so outlawed, as aforesaid. And here, the Lords Marchers and Officers aforesaid, by whom he is to be conveyed, shall not be negligent therein, in Pain to forfeit (each of them so making Default) 100 *l.* to be levied to the King's Use. Also the said Lords or other Officers shall at the said Sessions make due Return of such Certificate upon the like Pain. Howbeit, here all Travesses, Challenges, Exceptions, Advantages, and all other Pleas upon any such Outlawry, are saved to the Offender.

XIV. Here an Offender attainted of Felony as Principal or Accessary, upon Surety found to the Good Behaviour, may (for one Time only, by the Assent of the President and two Commissioners) be discharged and admitted to a Fine, to be levied for the King's Use, so as no Appeal be then depending against him for such Offences.

XV. Provided, That this Act shall not extend to abridge the Liberty of any Lords Marchers, unless such Offender be outlawed or attainted by Force of this Act within two Years after the Offence committed.

XVI. All Felonies and their Accessories committed in the County of *Merioneth*, shall be enquired, heard and determined in the Counties of *Caernarvon* or *Anglesey*, before the Justice of *North Wales*, or his Deputy, by Inquest of *Caernarvon* and *Anglesey*, or otherwise, at the Discretion of such Justice or his Deputy.

XVII. All Officers and their Deputies, upon Command of the Commissioners or Council, shall bring, send or deliver every Offender in Felony to the Officer of the Lordship Marcher, or other Place where the Offence was committed upon the Bounds of such Lordship, or to the said Commissioners or Council, as such Officers shall be commanded, in Pain of 40 *l.* which Command shall be sent by a Serjeant at Arms, or a Pursivant, then attendant upon the said Council.

XVIII. Stat. 27 H. 8. 7. All the King's Subjects and Friends may pass freely on Horseback or on Foot, and with Cattle, Wares, or otherwise, through all or any of the Forests in *Wales*, without Payment of any unlawful Exactions, or suffering any other Damage whatsoever. And no Forester or other shall commit any such Offence, in Pain to be tried for the same as Robbers, before the Justices of Peace of the Shire adjoining.

XIX. Cattle which stray into any Forest there, and are challenged within a Year and a Day by the right Owner, shall be re-delivered unto him upon Demand; and if the Forester or other Officer or Farmer there, refuse to re-deliver them, they shall forfeit to such Owner double the Value of such Cattle, and he may have an Action of Detinue for the Recovery of them, and

be tried in the County next adjoining; in which Action like Process of Outlawry shall be had, as in an Action of Trespas at the Common Law.

XX. Stat. 27 H. 8. 26. *Wales* shall be incorporated, united and annexed to and with *England*, and all Persons born there shall enjoy all Liberties as other Subjects in *England* do; also Lands shall descend there according to the *English* Laws, and not after the Form of any *Welsh* Laws or Customs.

XXI. The Laws and Statutes of this Realm, and none other, shall be had, used and executed in *Wales*, in like Manner as in this Realm, and as shall be farther declared by this Act.

XXII. Divers Lordships Marchers are united to *English* Counties, others to *Welsh* Counties, and the Residue are divided into new particular Counties by themselves, viz. *Monmouth*, *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*.

XXIII. The County of *Monmouth* shall consist of these Lordships, Townships, Parishes, Commotes and Cantredes; viz. *Monmouth*, *Chepstow*, *Maherne*, *Llancharangle*, *Magor*, *Goldcliffe*, *Newport*, *Wenlong*, *Llanwerne*, *Caerlion*, *Uske*, *Treleiky*, *Tinterne*, *Skp-freth*, *Grousmount*, *Witecastlo*, *Ragland*, *Calicote*, *Biston*, *Abergavenny*, *Penrose*, *Greenfield*, *Maghen* and *Hochwyssade*; all which said Places shall be hereafter guildable, and reputed as Parts and Members of the County of *Monmouth*, whereof *Monmouth* shall be reputed the Shire-Town; And the Sheriff of the County shall keep his County-Court at *Monmouth* and *Newport*, *alternis vicibus*.

XXIV. All Actions for Lands and other Things may be laid and sued in the County of *Monmouth*, and tried there by Assize of *Nisi prius* and *Venire facias*; and all other Process may be awarded thither by the Justices: Also the Inhabitants there shall be obedient to the King's Officers and Laws; and the Sheriffs and Escheators of that County shall perform their Duties, and render an Account in the Exchequer, as is used in or for any other County of *England*.

XXV. The Lordships, Towns, &c. to be reputed Members of *Brecknockshire*, shall be *Brecknock*, *Creckhowel*, *Tretowre*, *Pinkelly*, *English Talgarth*, *Welsh Talgarth*, *Dians*, the *Hoy*, *Glinbogh*, *Broylles*, *Canterholy*, *Lando*, *Blainlilby*, *Estradow*, *Buelsbe* and *Lingru*: Also the Shire-Town shall be *Brecknock*, and the Shire-Court shall be kept there.

XXVI. The Lordships, Towns, &c. of *Radnorshire*, shall be *New Radnor*, *Elishpermam*, *Elwelles*, *Baughrea*, *Glasbury*, *Glawdisfre*, *Mibbles Church*, *Melcuth*, *Blewagh*, *Knighton*, *Norton*, *Presen*, *Commerhader*, *Rayder*, *Gwethronyon* and *Stonage*: Here also *New Radnor* shall be the Shire-Town, and the County or Shire-Court shall be holden at *New Radnor* and *Rosher-Gwy* in the same County, *alternis vicibus*.

XXVII. Those

XXVII. Those of Montgomeryshire shall be Montgomery, Cedwery, Gwryland, Atustely, Kivilocks, Daythur, Powysland, Glanestland, Balesle, Tempcester and Alesfre: Whereof Montgomery shall be the Shire-Town, and the County-Court shall be holden there, and at Maghenteth in the same County, *alternis vicibus*.

XXVIII. Those of Denbighshire shall be Denbighland, Ruthin, Saint Knyllethwin, Bromfield, Tale, Chirk, Chickland, Molesdale and Hopedale: The Shire-Town also shall be Denbigh, and the County-Court shall be holden at Denbigh and Wrexham in the said County, *alternis vicibus*.

XXIX. The King shall yearly appoint Sheriffs, Escheators, and other Officers Accountants for the Counties of Brecknock, Radnor, Montgomery and Denbigh, and shall have a Chancery and Exchequer at Brecknock, where the said Officers of the Counties of Brecknock and Radnor shall yearly account before such Auditors, Chamberlain and Baron, as the King shall appoint for that Purpose. There shall be also another Chancery and Exchequer at Denbigh, where the said Officers of the Counties of Montgomery and Denbigh shall also account before such Auditors, Chamberlain and Baron, as aforesaid.

XXX. Justice shall be administred and executed in the Counties of Brecknock, Radnor, Montgomery and Denbigh, according to the Laws and Statutes of England, and such other Customs and Laws now used in Wales, as the King and his Council shall allow, by such Justice or Justices as shall be thereunto appointed by the King, and after such Manner as Justice is administred in the Counties of North Wales.

XXXI. In the Marches of Wales there shall be made guildable and annexed to the County of Salop, the Lordships, Towns, Parishes, Commotes, Hundreds and Cantredes of Oswestrie, Whetington, Masbroke, Knoking, Ellesmere, Down and Cherbury Hundred. Here also, Oswestrie, Whetington, Masbroke and Knoking shall be known by the Name of the Hundred of Oswestrie, and the Inhabitants thereof shall be attendant at Sessions, Assize and Gaol-Delivery, as the Inhabitants of other Hundreds within the said County of Salop use to do: Also Ellesmere cum membris shall be united to the Hundred of Pimhill in Com. Salop, and the Inhabitants thereof shall be attendant, as aforesaid; likewise the Lordship of Down cum membris shall be united to the Hundred of Cherbury in Com. Salop, and the Inhabitants shall give their Attendance as aforesaid. Howbeit, neither the said Hundreds of Cherbury nor Oswestrie, nor the Lordship of Ellesmere, shall be hereby otherwise privileged than as Hundreds annexed to the County of Salop, as other Hundreds be within the said County.

XXXII. In like Manner the Lordships, Towns, Hundreds, &c. annexed to the County of Hereford, are Ewyas-Lacy, Ewyas-Harold, Clifford, Winsorton, Tredest, Hunington, Whitney, and Wigmore, and Logharnes, and Stepluton. Whereof Wigmore, Logharnes, with

their Members, shall be called the Hundred of *Wigmora*; and *Ewyas-Lacy, cum membris*, the Hundred of *Ewyas-Lacy*, but *Ewyas Harold* shall be united to the Hundred of *Webree* in *Com. Hereford*; and *Clifford, Winsorton, Terdesty, Whitney* and *Huntington*, shall be called the Hundred of *Huntington*. Here also the Inhabitants shall be attendant at Sessions, Assizes, and Gaol-Delivery holden for the County of *Hereford*; but these Lordships, &c. shall claim no Privilege but as Hundreds or Members of the Hundreds of the same County.

XXXIII. Likewise the Lordships, Towns and Parishes of *Wolleston, Tidman* and *Becheby*, and all Honours, Lordships, Castles, Lands, Tenements and Hereditaments, lying between *Chepstow Bridge* and *Glostershire*, shall be annexed to the County of *Glosters* as Part thereof, and shall be Parcel of the Hundred of *Wesbury* in that County: Also the Inhabitants thereof shall be attendant, as aforesaid, and shall claim no Privilege but as Members of the Hundred of *Wesbury* aforesaid.

XXXIV. *Gowerwilney, Bishops-town, Landaffe, Signithe supra, Signithe subius, Miskin, Ogmora, Glemcothney, Tallagarn, Ruthin, Tal-lavan, Lambelthion, Lautwid, Tyerial, Avan, Neth, Landway* and the *Clays*, shall be guildable and united to the County of *Glamorgan*; and Justice shall be administred in *Glamorganshire* (so united) according to the Laws of *England*, as in the three Counties of *North Wales*, and not according to the *Welsh* Laws.

XXXV. *Llanemtherwy, Abermeles, Rodwely, Elkerning, Cornwoltun, Newcastle, Emlin* and *Abergoly*, shall be guildable and annexed to the County of *Caermarthen*; where also Justice shall be administred as aforesaid.

XXXVI. *Haverford-west, Kilgaran, Lanstaffan, Landbern* alias *Tellanghern, Walwincastle, Dewisland, Lannihaddein, Tanfrey, Herberth, Slebeche, Rosmarket, Castellon*, and *Land of Lours*, shall be guildable, and annexed to the County of *Pembroka*; where Justice shall be administred as aforesaid.

XXXVII. *Tregarn, Genarglin, Lanawy* and *Urenay*, shall be guildable, and united to the County of *Cardigan*; and there also Justice shall be administred as aforesaid.

XXXVIII. *Mountway* shall be guildable, and annexed to the County of *Merioneth* in *North Wales*, as a Commote or Part thereof.

XXXIX. All Justices, Commissioners, Sheriffs, Coroners, Escheators, Stewards, and their Lieutenants, and all other Officers and Ministers of Law, shall proclaim and keep Sessions, Courts, Hundreds, Leets, County-Courts, and all other Courts, in the *English* Tongue; and all Oaths of Officers, Juries and Inquests, and all Affidavits, Verdicts, and Wagers of Law, shall be given and done in the same Tongue.

XL. None that use the *Welsh* Language shall have or enjoy any Office or Fees in any of the King's Dominions, but shall forfeit them, unless he use the *English*.

XLI. The Sheriffs of *Monmouth*, *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, shall put every unruly Person under common Mainprize, as the Sheriffs of the three Counties of *North Wales* use to do.

XLII. The Sheriff of *Monmouth* shall certifye such Recognizances, common Mainprize, and Surety of Appearance, at every Quarter-Sessions of that County; and the Persons so bailed shall appear at the two next Sessions holden at *Easter* and *Michaelmas*, until they be released.

XLIII. The Sheriffs of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, shall certifye such Recognizances, &c. before such Justice as the King shall appoint, at every Sessions to be holden in the said Counties.

XLIV. All Persons under Bail for Appearance in the County of *Brecknock*, *Radnor*, *Montgomery*, *Denbigh*, *Glamorgan*, *Caermarthen*, *Pembroke* and *Cardigan*, (either by the Sheriffs or Justices of those Counties) shall appear before the said Justices at every Sessions, as is used in the three Counties of *North Wales*.

XLV. The Lay and Temporal Lords Marchers shall have the Moiety of every such Recognizance forfeited within their respective Precincts, to be paid them by the Sheriff, (if he can levy them) who is also to answer the other Moiety to the King in the Exchequer upon his Account.

XLVI. The Lord Chancellor shall (forthwith after this Parliament) direct a Commission under the Great Seal for the Division of the Counties of *Caermarthen*, *Pembroke*, *Cardigan*, *Monmouth*, *Brecknock*, *Radnor*, *Montgomery*, *Glamorgan* and *Denbigh*, into convenient Hundreds, to be returned into the Chancery, and there to remain of Record; which shall be of like Force as an Act of Parliament.

XLVII. Commissions also shall issue forth to enquire after the *Welsh* Laws and Customs; and such of them as shall be thought fit (by the King and Council) to be continued, shall stand and be in full Force notwithstanding this Act.

XLVIII. Two Knights for the County, and one Burgess for the Borough of *Monmouth*, shall be chosen to serve in Parliament.

XLIX. Also one Knight shall be chosen for each County of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, and for every other County in *Wales*; and for every Borough, being a Shire-Town, (except the Shire-Town of *Merioneth*) one Burgess.

L. The said Knights and Burgesses shall be elected, and enjoy like Privileges and Fees, as Knights and Burgesses of *England*. And the Knights Fees shall be levied of the Commons of each County; and those of the Burgesses, as well of the Shire-Towns whereof

whereof they be Burgesſes, and of all other ancient Boroughs within the ſaid reſpective Counties.

LI. All Lords Marchers ſhall enjoy all ſuch Liberties, Miſes, and Profits as they had, or uſed to have, at the firſt Entry into their Lands in Times paſt, notwithstanding this Act.

LII. The Laws and Customs of the three Counties of *North Wales*, and of the County-Palatine of *Lancaster*, are ſaved.

LIII. This Act ſhall not extend to derogate any other Act heretofore made for the Trial of Treason, Murder or Felony, or Accellaries thereunto, committed in any Lordſhip Marcher in *Wales*, or in any County of *England* next adjacent thereunto.

LIV. Lands by the Custom partible among Males ſhall ſo continue notwithstanding this Act.

LV. The King hath Power (within three Years) to ſuſpend or repeal this Act; as alſo (within five Years) to erect as many Courts (of Record or others) and to appoint as many Juſtices and other Officers in *Wales* as he ſhould think fit.

LVI. Stat. 33 H. 8. 13. *Hope*, *Aſaph*, *Hawarden*, *Modeſdale*, *Merſford* and *Oſeley*, ſhall be reputed to be within the County of *Flin*, as Part thereof, and not in any other County. Howbeit, they ſhall pay their Taxes with the Inhabitants of ſuch Shire or Shires as hath been formerly accuſtomed.

LVII. Alſo *Hops*, *Modeſdale*, *Merſford*, *Oſeley* and *Hawarden*, ſhall be called the Hundred of *Modeſdale* in the County of *Flin*; and *Aſaph* ſhall be reputed Parcel of the Hundred of *Rutland* in the ſame County.

LVIII. Stat. 34 & 35 H. 8. 26. *Wales* ſhall be divided into twelve Counties, whereof eight were ancient Counties, viz. *Glamorgan*, *Caermarthen*, *Pembroke*, *Cardigan*, *Flin*, *Carnarvon*, *Angleſey* and *Merioneth*; alſo four other were made by the Statute of 27 H. 8. 26. viz. *Radnor*, *Brecknock*, *Montgomery* and *Denbigh*; beſides the County of *Monmouth*, and divers Lordſhips united to the Counties of *Salop*, *Hereford* and *Glouceſter*.

LIX. The Limitation of Hundreds, lately made within the ſaid Counties by Commiſſion out of the Chancery, and again returned thither, ſhall ſtand in Force, except ſuch of the ſame as have been ſince altered by any Act, and ſhall be altered by this.

LX. There ſhall remain a Preſident and Council in *Wales* and Marches thereof, with Officers and Incidents thereunto, as hath been uſed; which Preſident and Council ſhall hear and determine ſuch Cauſes as ſhall be aſſigned to them by the King, as heretofore hath alſo been uſed.

This laſt Seſſion repeated by Stat. 1 W. & M. cap. 27.

LXI. Seſſions ſhall be kept twice a Year in the County of *Glamorgan*, *Brecknock*, *Radnor*, *Caermarthen*, *Pembroke*, *Cardigan*, *Mont-*

Montgomery, Denbigh, Carnarvon, Flint, Merioneth and Anglesey, which Sessions shall be called the King's Great Sessions.

LXII. The Justices of *Chester* shall hold Sessions twice a Year in the Counties of *Denbigh, Flint and Montgomery*, for the old Fee of 100 l. per Annum.

LXIII. The Justices of *North Wales* shall do the like in the Counties of *Carnarvon, Merioneth and Anglesey*, and shall have a Fee of 50 l. per Annum.

LXIV. A Person learned in the Law (to be appointed by the King) shall be Justice in the Counties of *Radnor, Brecknock and Glamorgan*, and shall likewise hold Sessions twice a Year, and have for his Fee 50 l. per Annum.

LXV. Another such Person (to be appointed as aforesaid) shall be Justice in the Counties of *Caermarthen, Pembroke and Cardigan*, and shall hold Sessions, and have Fee, as aforesaid.

LXVI. The said Justices shall have Commissions under the Great Seal for their Offices, to be executed by themselves or their Deputies.

LXVII. These Justices may hold Pleas for the Crown, in as large Manner as the Lord Chief Justice, or the other Justices of that Bench may do; and also Pleas of Assizes, and all other Pleas and Actions, real, personal and mixt, in as large Manner as the Chief Justice of the Common Pleas, or the other Justices of that Court may do.

LXVIII. They shall also enquire, hear and determine all criminal Offences whatsoever committed within their several Limits, and administer common Justice to all the King's Subjects there, according to the Laws, Statutes and Customs of *England*, and this present Ordinance.

LXIX. The said Sessions shall each of them hold six Days, as hath been used in *North Wales*; and Notice thereof shall be given (by Proclamation) fifteen Days (at least) before they keep the same.

LXX. Days shall be given in all Pleas, Plaints, Process and Adjournments from Day to Day, and from Sessions to Sessions, at the Discretion of the said Justices; for the good and speedy Administration of Justice.

LXXI. The Seal for the three Counties of *North Wales*, viz. *Merioneth, Carnarvon and Anglesey*, shall remain in the Custody of the Chamberlain of *North Wales*; the Seal of *Caermarthen, Pembroke and Cardigan*, with the Chamberlain of *South Wales*; that for *Brecknock, Radnor and Glamorgan*, with the Steward and Chamberlain of *Brecknock*; that for *Denbigh and Montgomery*, with the Steward and Chamberlain of *Denbigh*; and that for *Flint*, with the Chamberlain of *Chester*.

LXXII. The said Stewards and Chamberlains shall with the Seals, seal all original Writs and Process returnable before the Justices at the Sessions, as aforesaid, and shall answer the Pro-

first

fits thereof to the King: But none of them, or any Chancellor, shall by occasion of keeping such Seals compel any Person, inhabiting in any of the said twelve Shires, to appear before themselves or their Deputies, or hear and determine any Pleas or Causes whatsoever, otherwise than as by this Ordinance is limited: And such Writs and Process shall be returned before the said Justices, as hath been used before the Justices of *North Wales*.

LXXIII. All that shall be Stewards, Chamberlains or Chancellors within any of the said twelve Shires, having Offices of Receipt, Collection of Account of any of the King's Rents, Revenues or Profits there, may direct Process under the said Seal (being in their Charge) within the Limits of their Authorities against Bailiffs, Reeves, Farmers, and other Ministers Accountant, to appear before themselves for any such Rents, Revenues, Farms or Profits, as hath been heretofore used; but for nothing else, nor to any other Person.

LXXIV. The Stewards also may hold Leets, Law-days, or Courts-Baron of Lordships whereof they are Stewards, and also Pleas by Plaint under forty Shillings in every such Court-Baron, and have and enjoy all Authorities and Profits thereunto belonging, notwithstanding any Law or Custom in *Wales* to the contrary. Howbeit, neither they nor Sheriffs shall have Power to enquire of Felonies in any such Leet, Law-day, or Turn; neither shall they keep any Leet or Law-day, but at such Places where they were used to be kept before the Statute of 26 H. 8. 6. as the Place be convenient for the keeping of such Courts.

LXXV. Mayors, Bailiffs, and Head Officers of Corporate Towns in *Wales*, may hold Pleas, and determine Actions, so as they observe the Laws of *England*, and not *Welsh* Laws or Customs: They may also try Issues by six Men (as in divers Places hath been used) notwithstanding this Act.

LXXVI. The King may within seven Years dissolve Boroughs in *Wales*, and erect others there by his Letters Patent.

LXXVII. Officers certain Fees (appearing in the King's Letters Patent) shall continue, but not their casual Fees, claimed by Colour of their Offices; any Custom in *Wales* or this Act to the contrary notwithstanding.

LXXVIII. Each Justice shall also have a judicial Seal, to seal Bills and judicial Processes sued before them in the Sessions; whereof the first shall remain with the Justice of *Chester*, for *Denbigh* and *Montgomery*; the second with the Justice of *North Wales*; the third with the Justice of *Glamorgan*, *Bricknock*, *Radnor*; and the fourth with the Justice of *Pembrokeshire*, *Cardigan*. Also every such Justice shall account and answer to the King the Profits of the Seal in his Custody, as shall be hereafter declared. And the Tests of every Bill and Process that passeth under such Seal, shall be under the Name of the

Justice that issueth it out, as is used in the Common Pleas in England.

LXXIX. All Actions real and mixt, Attaints, Conspiracies, Assizes, *Quare Impedit*, Appeals of Murder and Felony, and all Actions grounded upon any Statute, shall be sued by original Writs sealed with the original Seal, and returnable before the Justices at their Sessions; but all personal Actions, as Debt, Detinue, Trespass, Account, and the like, amounting to the Sum of 40 s. or above, shall be sued by such Writs original, or by Bills, at the Election of the Plaintiff, as is used in *North Wales*.

LXXX. All personal Actions under the Sum of 40 s. may be sued by original Bill, (as is also used in *North Wales*) sealed by the judicial Seal remaining in the Custody of the Justice.

LXXXI. The Fee for sealing every original Writ upon the Causes aforesaid, and for every Bill in Actions personal, (when the Debt and Damages amount to 40 s. or above) is 6 d. and for every judicial Process sued upon any such original Writ or Bill, 7 d. whereof the King shall have 6 d. and the Justice 1 d. And for every Bill in personal Actions, when the Debt and Damages amount not to 40 s. and for every judicial Process to be sued upon the same, 3 d. whereof the King is to have 2 d. and the Justice 1 d.

LXXXII. All Writs of *Scire facias* and Writs of *Good-abearing*, or for the Peace, or Writs of *Superfedeas* upon the same, and all other Process sued before the Justices upon any Record or Suggestion, shall be sealed with the judicial Seal, for which the Plaintiff shall pay 7 d. whereof the King is to have 6 d. and the Justice 1 d.

LXXXIII. Every Exemplification upon any Record shall be sealed by the judicial Seal, for which the Plaintiff shall pay 20 d. whereof the King is to have 16 d. and the Justice 4 d.

LXXXIV. Recoveries and Fines, Concords, and Warrants of Attorney for the same, may be taken before the said Justices, of Lands, Tenements and Hereditaments within their Authority by Force of their general Commission, without any *Deedimus*, as is used before the Chief Justice of the Common Pleas.

LXXXV. All Fines levied before any of the Justices with Proclamation made the same Sessions they shall be engrossed, and in two other great Sessions then next following, shall be of the same Force as Fines levied with Proclamations before the Justices of the Common Pleas.

LXXXVI. Every Person suing Writs of Entry in the *Poss.* or Writs of Covenant, or any other Writs for any Recovery to be had, (by Assent or otherwise) or for any Fine to be levied, shall pay Fines to the King's Use for the same, (as well Fines *pro licentia concordandi*, as all other Fines) as is used in Chancery, or elsewhere in the King's Courts of *England*; which Fines shall be paid to such Persons as shall seal the original Writs for that Purpose.

pose, who shall account for the same, as they do for the Profits of the said original Seal.

LXXXVII. Also the King's Silver (upon every such Fine) shall be paid as is used in the Common Pleas of *England*, viz. 1 s. and shall be received by the Justices before whom such Fine is levied; whereof the King shall have 16 d. the Prothonotary for entering it 2 d. and the Justice the rest, who shall account for the King's Profit, as he doth for the Profits of the judicial Seal.

LXXXVIII. The four said Justices shall have each of them a Prothonotary to attend upon them, for the entering of all Pleas, Process, and Matters of Record in Sessions to be holden before the said Justices.

LXXXIX. There shall be a Marshal and a Crier in every of the said Circuits, to be named by the said Justices, as Justices of Assize in *England* use to do; which Officers shall attend upon the said Justices in their Circuits in proper Person, and not by Deputy.

XC. The Marshal shall have upon every Judgment and every Fine 4 d. and the Crier 1 d. And the like Fees shall be paid upon the Acquittal of Felons, and of such as be delivered by Proclamation, or out of common Mainprize.

XCI. Here also are set down the Fees that the Prothonotaries shall take for Writs, Entries, Judgments, &c. For which see the *Statute at large*.

XCII. The King shall have all Fines, Issues, Amerciaments, and Recognizances forfeited, which the Prothonotaries shall yearly estreat into the Exchequer appointed for that Limit, that Process may be awarded to the Sheriff to levy them for the King's Use; which Sheriff shall yearly account before the King's Auditors to be thereunto assigned.

XCIII. Besides the President, Council and Justices aforesaid, there shall be Justices of Peace and *Quorum*, and also one *Custos Rotularum* in every of the said twelve Counties, who shall be appointed by the Chancellor of *England*, by Commission under the Great Seal, with the Advice of the President, Council and Justices aforesaid, or three of them, whereof the President to be one.

XCIV. There shall not be more than eight Justices of Peace in any of the said twelve Shires, besides the President, Council and Justices aforesaid, and the King's Attorney and Solicitor; all which Persons shall be also put in every such Commission.

This Section is repealed by Stat. 5 & 6 W. & M. cap. 4.

XCV. These Justices of Peace shall be of good Name and Fame, and may exercise their Office, albeit they have not 20 l. per Ann. or be not learned in Law; but before they shall execute their Commission, they shall take such Oath as Justices of Peace in *England* use to take, before the Chancellor of *England*, or else before the President, or one of the same Justices of *Wales* by De-

dimus, or before some other to be appointed by the Lord Chancellor for the Purpose.

XCVI. The said Justices of Peace, or two of them at least, (*1 Quorum*) shall keep their Sessions four Times in the Year, and at other Times also upon urgent Cases, as Justices of Peace in *England* use to do, for which they shall also have such Allowances for themselves and their Clerks, as the Justices in *England* have.

XCVII. Here, the Fee for a Warrant of the Peace or Good-bearing, is 6 *d.* for entring of Pledges to pay the King a Fine, upon an Indictment, 9 *d.* and if it be with Protestation, 12 *d.* for a *Superseas*, 8 *d.* and for a Recognizance, 12 *d.*

XCVIII. These Justices of Peace shall certifie Recognizances taken before any of them for the Peace and Good-bearing into the next Sessions; but Recognizances taken before them for Suspicion of Felony, shall be certified before the Justices at the next great Sessions, without concealing them, upon such Penalties as be therefore ordained.

XCIX. All Fines and Amerciaments lost before the Justices of Peace shall be assayed by two of them at least, (*1 Quorum*) and shall be duly set without Partiality.

C. All such Fines and Amerciamentss as also all Issues lost, forfeited Recognizances, and other Forfeitures before the said Justices of Peace, shall be yearly estreated by the Clerks of the Peace, into the Exchequer appointed for that Limit; to the End that Processes may be thereupon awarded for the levying of them for the King's Use to the Sheriff of every County, who shall account before such Auditors as shall be thereto assigned; which Auditors shall make due Allowance unto the Sheriffs upon their Accounts, for the Fees of the Justices and Clerks of the Peace, as is used in *England*.

CI. The President, Council and Justices of *Wales*, or three of them at least, (whereof the President to be one) shall yearly nominate three able Persons in every of the said twelve Shires to be Sheriffs thereof, and shall certifie their Names to the Lords of the Privy Council *Craft. Anim.* to the End the King may appoint one of them in every of the said Shires to be the Sheriff for the Year, like as is used in *England*: And thereupon the said Sheriff shall have their Patents under the Great Seal of *England*, and shall make Oath and acknowledge Recognizances before the President and Justices, or one of them, by a *Dedimus*, for the Execution of their Offices; and for their Account before the King's Auditors assigned for *Wales*.

CII. The said Sheriffs have Power to use their Offices as Sheriffs of *England* do; shall be observant to all lawful Commands and Precepts of the President, Council, Justices of *Wales*, Justices of Peace, Escheators and Coroners, and every of them, in all Things appertaining to their Offices; shall yearly account

to the Additor or Auditors assigned by the King for *Wales*; and shall each of them have yearly for his Fee 5 l.

CIII. All Officers and other Persons in *Wales*, shall be obedient, attendant and assisting to the President, Council and Justices of *Wales*, and shall obey the King's Commands and Process from any of them directed, and all lawful and reasonable Precepts of them and every of them; and also shall be obedient to all Justices of Peace, Sheriffs and Escheators, within their several Limits, in all Things appertaining to their Duties and Offices.

CIV. Also Escheators shall be named in every of the said Counties by the Treasurer of *England*, with the Advice of the President, Council, or three of them, whereof the President to be one; which Escheators shall make Oaths and acknowledge Recognizances before the President, or one of the Justices, by a *Deditmas*, for the due Execution of their Offices, and for their true Account before the King's Auditor or Auditors to be assigned for that Purpose; which Oath and Recognizance shall be agreeable to those used for Escheators in *England*.

CV. Such Escheators shall yearly have their Patents under the Great Seal, and shall exercise their Offices as Escheators in *England*, and shall be bound to all Laws and Statutes of *England*; but they need not have above 5 l. per Annum Freehold; and shall account yearly before such Auditor or Auditors as the King shall assign for *Wales*.

CVI. There shall be also two Coroners elected for each of the said twelve Shires by the Writ *De coronatore eligendo*, awarded out of the Chancery of *England*; which Coroners shall exercise their Offices, and have like Fees as in *England*: Only the Writ *de Cor. elig.* for the County of *Flint*, shall be directed out of the Exchequer of *Chester*.

CVII. The Justices of Peace, or two of them, (1 *Quorum*) shall appoint in every Hundred (within their Limits) two substantial Gentlemen or Yeomen to be Chief Constables of the Hundred where they dwell, who shall preserve the Peace, and use their Offices, and be bound in all Things, as High Constables in *England*.

CVIII. The Sheriff shall have a Gaol in a Place of the Castle of the Shire-Town, or such other convenient Place, as by the President, Council and Justices, or three of them (whereof the President to be one) shall be appointed, any Patent or Grant notwithstanding. The Sheriff also shall make Balliffs of the Hundred, who shall attend upon the Justices at their Courts and Sessions.

CIX. Sheriffs shall keep their Counties monthly, and their Hundred-Courts for Pleas under 40 s. and shall take for entering Pleas, Process, Pleas and Judgments there as used in *England*, and not above. Also all Trials in such Courts, as before

Stewards in Courts-Baron, shall be by Wager of Law, or Verdict of six Men, at the Election of the Party, Plaintiff or Defendant that pleads the Plea.

CX. Sheriffs shall hold their Turns yearly after *Easter* and *Michaelmas*, as is used in *England*.

CXI. The King shall have all Fines, Issues, Amerciaments and Forfeitures lost in the said Courts and Turns, to his own Use, and the Sheriff shall account for the same accordingly; having been first assented by the Justices of Assize of that Circuit before they be levied; and the Sheriff shall not levy them before they be so assented, in Pain to forfeit to the King 40 s. Also the Sheriff upon every Judgment in his County or Hundred-Court may award a *Capias ad Satisfaciendum*, or a *Fieri facias*, at the Election of the Plaintiff.

CXII. Certain Fees which the Sheriff is to have for the Return and Execution of divers Writs. *For which see the Statute in large.*

CXIII. Every Sheriff within his Limit may put suspicious Persons under common Mainprize, according to the Statute of 37 H. 8. 16. (*which see before*) binding them with two sufficient Sureties by Recognizance, to appear before the Justices at the next great Sessions, and then shall also certify the Names of the Parties so bound, without Concealment.

CXIV. The Sheriff's Fee for taking such common Mainprize is 2 d. but he shall take no Fee for the Return of any Writ of Execution, unless he return the same executed.

CXV. The Fees of Sheriffs, Escheators and Coroners, and their Ministers, Prothonotaries, and their Clerks, and other Ministers of Justice in *Wales*, shall be rated, augmented and diminished, by the President, Council and Justices, or by three of them, whereof the President to be one, from Time to Time, at their Discretions.

CXVI. None for Murder or Felony shall be put to his Fine, but suffer according to the Laws of *England*, except it please the King to pardon him: And if the Justices see Cause of Pity, or other Consideration, they may reprieve the Prisoner till they have advertised the King of the Matter.

CXVII. The Statute of 26 H. 8. 6. (*which see before*) is confirmed notwithstanding this Act, and from henceforth shall be put in Execution.

CXVIII. *Abertannad*, heretofore reputed Parcel of the County of *Merioneth*, shall now be annexed to *Salop*, and be reputed Parcel of the Hundred of *Oswestrie*.

CXIX. If any Foreign Plea or Voucher be pleaded or made before any of the Justices of *Wales*, triable in any other County in *Wales*; in this Case the Justice shall send the King's Writ with a Transcript of the Record, unto the Justice of the County where the Matter is triable, commanding him to proceed to the Trial.

Trial thereof according to Law; which Trial being had, he shall remand it with the whole Record unto the Justice that sent it, who thereupon shall proceed to Judgment, as the Cause shall require. But if such Plea or Voucher be triable in *England*, the Justice of *Wales*, before whom they are pleaded or made, may proceed to Trial thereof in such County of *Wales* wherein they are so pleaded or made, such Foreign Plea or Voucher notwithstanding.

CXX. All Lands, Tenements and Hereditaments in *Wales*, and in the Lordships and Places annexed (by the Statute of 27 H. 8. 26.) to the Counties of *Salop*, *Hereford*, *Gloucester*, or any other Shires, shall be *English* Tenure, and not partible among Heirs male, according to the Custom of Gavelkind.

CXXI. No Mortgages of Lands, &c. made in any of the Counties or Places, shall be hereafter allowed or admitted otherwise than after the Course of the Common Law and Statutes of *England*.

CXXII. It shall be lawful for all Persons to alien their Lands, &c. in *Wales*, the County of *Monmouth*, and other Places annexed, as aforesaid, from them and their Heirs to any Person or Persons in Fee-simple, Fee-tail, for Life or Years, according to the Laws of *England*; notwithstanding any *Welsh* Law or Custom the contrary.

CXXIII. If any Person having Lands in *Wales*, be bound in *England* by a Statute-Staple or Recognizance, and pay not the Debt accordingly; in such Cases, upon Certificate into the Chancery of *England*, Processes shall be made to the Sheriffs of *Wales* out of the said Chancery, for the due levying of the said Debt, as is used in *England*. Howbeit, for such Recognizances as are taken in the King's Bench or Common Pleas of *England*, Processes shall be pursued immediately from the Justices of the said Courts, as in *England* is also used.

CXXIV. All such Writs, Bills, Complaints, Pleas, Process, Challenges and Trials, shall be used throughout all the Shires aforesaid, as are used in *North Wales*, or as shall be devised by the President, Council and Justices, or three of them, whereof the President to be one.

CXXV. Where there shall be some Suits in Pleas personal which cannot be well tried before the Justices in the great Sessions, for Shortness of Time, such Issues may be tried at the Petty Sessions before the Deputy-Justices, as is used in the three Counties of *North Wales*; save only for such Suits as by the Direction of the said Justices shall be necessary to be tried before themselves: Howbeit, there shall be no Suit taken before any of the said Justices by Bill under the Sum of 20 s.

CXXVI. No other Liberties, Franchises or Customs shall be used or claimed in any Lordship which was anciently Part of *Wales*, (whosoever be Owner or Owners thereof) but only such

as be given to the Lords thereof, by Force of the Statute of 27 H. 8. 26. and not altered by this Act, notwithstanding the Statute of 32 H. 8. 20. which see in Franchises.

CXXXII. If any Murder or Felony be committed in *Wales*, the Party or Parties grieved shall make no Agreement with the Offender, or with any other in his Behalf, unless he first acquaint the President, Council or Justices therewith, in Pain of Imprisonment and grievous Fine at the Discretion of the President, Council and Justices, or two of them, whereof the President to be one. The like Punishment also they incur that labour or procure such Agreement, although it never take Effect.

CXXXIII. If any Person, or they whose Estate he hath, have peaceable Possession of Land in *Wales* by the Space of five Years, without Interruption or lawful Claim, such Person shall continue the same, until they be recovered from him by Law, or Decree of the President or Council there.

CXXXIX. If in any personal Actions pursued before the Justices, nine of the Jury being sworn, and the Residue make Default, or be tried out; in that Case the Sheriff may return other Names *de circumstantibus*, until the Jury be full, as is used in *North Wales* and elsewhere in such Cases.

CXXX. No Sale of Goods or Cattle stolen in *Wales*, and sold in any Fair or Market there, shall alter the Property thereof, such Sale notwithstanding.

CXXXI. No Person shall buy any quick Cattle in *Wales* out of the Fair or Market, unless he can produce credible Witness of the Person, Place and Time, of whom, where and when he so bought the same, in Pain of such Punishment and Fine as shall be set by the President and Council, or any of the Justices in his Circuit, and to answer it at his farther Peril.

CXXXII. If any Goods or Cattle be stolen in *Wales*, the Track shall be followed from Town to Town, and Lordship to Lordship, according to the Laws and Customs heretofore used in *Wales*, upon such Penalty as hath been heretofore accustomed.

CXXXIII. Any Man (being a Freeholder) may pass upon a Jury in all Causes both criminal and civil, Attaint only excepted; saving to every Man his lawful Challenge, according to the Laws of *England*: Howbeit, none shall pass in Attaint, unless he have Freehold of 40 s. per Annum.

CXXXIV. Tenants and Reliants in *Wales* shall pay their Tillage at the Change of their Lords, in such Places, and after such Form as hath been accustomed in *Wales*.

CXXXV. The King's Subjects in *Wales* shall find at the Parliaments in *England* Knights for the Counties, and Citizens and Burgesses for the Cities and Towns, to be chosen by the King's Writ, according to the Statute of 27 H. 8. 26. and shall also be chargeable to all Subsidies, and other Charges granted by the Commons of the said Parliament, and pay all other Rents, Fines, and Customs.

Customs and Ducies to the King, as hath been accustomed, Fines for Redemption of Sessions only excepted, which the King is pleased to remit.

CXXXVI. *Haverford-west* shall find one Burgess for that Town, whose Charges shall be born by the Mayor, Burgesses and Inhabitants of the said Town, and by none other.

CXXXVII. The King shall have all Felons Goods, Goods of Persons outlawed, Waifs, Estrays, and all other Forfeitures and Escheats, and shall be answered thereof by the Sheriffs; saving the Right of all others having lawful Title thereto.

CXXXVIII. Errors and Judgments before any of the Justices in their great Sessions, in Pleas real and mixt, shall be redressed by Writ of Error, out of the Chancery of *England*, returnable before the Justices of the Common Pleas, as other Writs of Error be in *England*; but Errors in Pleas personal shall be reformed by Bill before the President and Council: And if the Judgment be affirmed good in any of the said Writs and Bills, then there to make Execution, and all other Process thereupon, as is used in the King's Bench of *England*; and the Plaintiff in every such Writ or Bill to pay for the same like Fees as is used in *England*.

CXXXIX. No Execution of any Judgment given in any base Court, shall be stayed by reason of any Writ of false Judgment, but Execution may be had at all Times before the Reversal of such Judgment; and if such Judgment shall after be reversed, the Plaintiff shall be restored to what he hath lost by such Judgment.

CXL. All Process for urgent and weighty Causes shall be directed into *Wales* by the Chancellor of *England*, or any of the King's Council, as heretofore hath been used, notwithstanding this Act.

CXLI. The Town of *Bewdly* in the Parish of *Ribsford* in *Cow. Wigorn'* is made Parcel of the County of *Wigorn*, and united to the Hundred of *Dodingtree* in that County; saving to the Burgess and Inhabitants of *Bewdly* their ancient Liberties and Franchises.

CXLII. *Llanstiffan*, *Usterlois* and *Langham*, with their Members, are united to the County of *Caermarthen*, and made Parcel of the Hundred of *Derreis* in that County.

CXLIII. The Shire-Court of the County of *Radnor* shall be holden one Time at *New Radnor*, and another Time at *Preston*, *alternis vicibus*, and never at *Rother-Gwy*, notwithstanding the Statute of 27 H. 8. 26.

CXLIV. The King's Farmer of the Subsidy and Aulnage of Woollen-cloths in the County of *Monmouth*, and the other twelve Counties of *Wales*, shall take for sealing such Cloths as followeth: viz. for every whole Piece of Frize, 1 *d.* a half Piece *ob.* a Piece of Cotton or Lining (24 Yards and under) *ob.* a Piece of the same (above 24 Yards) 1 *d.* a Broad-cloth 1 *d.* a Piece of Kersey (18 Yards

(18 Yards or above) s. d. and for a Piece of Kersey (under 18 Yards) 6s. Howbeit, this shall not extend to Cloth made in private Houses, and not put to Sale, but to their Servants.

CXLV. The Aulnager in *Wales* shall be bound and subject to the Laws and Customs of *England* in like Case provided.

CXLVI. The Town of *Haverford-west* is made a County of it self, whose Justice shall be the Justice of the County of *Pembroke*, and the judicial See of *Pembrokeshire* shall be also used there, with divers other Privileges: For which see the Statute at large. Howbeit, this Article was but to continue in Force during the King's Pleasure.

CXLVII. This Act shall not be prejudicial to any Man's Inheritance, nor to any of the King's Officers for their Offices or Fees.

CXLVIII. No Land in *Wales* shall be Gavelkind, but descendible according to the Course of Common Law.

CXLIX. All Liberties of the Dutchy of *Lancaster* shall continue as they were before the making of this Act.

OL. Stat. 1 & 2 P. & M. 15. As well Spiritual Lords Marchers and their Successors, as the Heirs and Successors of Temporal Lords Marchers, now being, or which shall hereafter be Lords Marchers of Lordships Royal in *Wales*, shall have and enjoy the one Half of every Forfeiture of every common Mainprise, Recognizance for the Year, or Appearance, forfeited by their Tenants inhabiting within any of their Lordships Marchers or Lordships Royal, to be paid the same by the Sheriff of the County for the Time being, as the Lay or Temporal Lords Marchers have or ought to have been paid the same by Force of the Statute of 27 H. 8. 26. And also all such Mises, Profits and Liberties as the Lords Marchers Spiritual and Temporal have respectively used in Time past to enjoy, before the making of the said Statute.

CLI. Stat. 18. El. 8. The Queen and her Heirs and Successors may (at her and their Pleasure) name and appoint two or more Persons learned in the Law, to be Justices in each of the Circuits in *Wales* which had but one Justice before, or may grant Commissions of Association to such Person or Persons to be associate to the Justice or Justices of the said Circuits, who shall have like Authority and Power as the one Justice had by the Statute of 34 & 35 H. 8. 26.

CLII. Stat. 27 El. 9. All Fines and Recoveries taken or suffered in the Courts of Assizes or Sessions of the twelve Shires of *Wales*, the Town and County of *Haverford-west*, and the Counties Palatine of *Chester*, *Lancaster* and *Durresm*, and in every of them, and all Writs, Returns, Warrants and other Proceedings

concerning the same, now remaining, or which hereafter shall remain, in the said Courts or Sessions, or in any of them; or in the Custody of any of the Officers there, may (upon the Request and at the Election of any Person) be inrolled in Rolls of Parchment, by such Persons and for such Considerations as are hereafter expressed; and such Inrollment shall be as good in Force of Law (for so much as shall be so inrolled) as the same so remaining are or ought to be.

CLIII. No Fines, Proclamations, or Recoveries there, shall be reverfible by Writ of Error for false Latin, Rature, Interlining, Misentrining of any Warrant of Attorney, or of any Proclamation, Misreturning or not Returning of the Sheriff, or other Want of Form in Words, and not in Matter of Substance.

CLIV. The Person there that shall hereafter take the Acknowledgment of any Fine, or any Warrant of Attorney, of any Tenant of Vouchee for suffering any Recovery, or shall certify them or any of them, shall with the Certificate of the Concord or Warrant of Attorney, certify also the Day and Year wherein the same was acknowledged; but shall not be enforced to certify them, except within the Year next after they were taken: And no Clerk or Officer there shall receive any Writ of Covenant, Writ of Entry, or other Writ whereupon any Fine or Recovery is to pass, unless the Day of Acknowledgement thereof shall appear by such Certificate, in Pain of 40 s.

CLV. No Attornment upon any Fine there shall be entered upon Record, except the Party mentioned to attorn have first appeared in Court in Person or by Attorney, warranted by the Hand of one of the Justices of the same Court, upon any Writ of *Quid juris clamat*, *Quem redditum reddit*, or, *Per que servitia*, as the Cause requireth: And every Attornment otherwise entered shall be void, without Writ of Error, or other Means to avoid it.

CLVI. There shall be in the said Places an Office of Inrollments erected to continue for ever, for the inrolling of the Fines and Recoveries, as aforesaid; and the Justices there shall (within their several Limits) enjoy the said Office and the Disposition thereof, and carefully see to the Execution of the same, by the due Examination of such Inrollments, and for their Pains and Care therein, shall have certain Fees allowed them. *For which see the Statute at large.*

CLVII. Unto every Roll by any Justice so examined he is to subscribe his Hand, in Pain of 40 s. And any of the said Justices may take Order in all Things needful for the said Inrollments, and upon Examination may in the said Courts assess such Fines and Amerciaments on any Clerk, Sheriff, Attorneys, or other Person, for Misprision, Contempt or Negligence, in any Thing concerning such Fines and Recoveries, as to them, or any one of them,

them, shall seem fit: Which Fines and Amerciaments shall be estreated as others use to be out of the said Courts.

CLVIII. The Exemplification of any such Record of any Fine or Recovery thereof, or any Part thereof, (in the said twelve Shires of *Wales*, and the Town of *Haverford-west*) under the judicial Seal, or (in the said Counties Palatine) under the Seal of the respective Counties Palatine, shall be of as good Force as the original Record it self.

CLIX. The Justices Clerks may write out and inroll the said Records, but shall not carry them out of their Offices.

CLX. No Fine or Recovery heretofore levied or suffered, shall after Exemplification be amended.

CLXI. This Act shall not prejudice the Heirs of Sir *Edward Gray*, Knt. Lord *Powis* or Sir *Edward Herbert*, Knt. his Heirs or Assigns, or *Henry Verner* or *John Verner*, Esquires, their Heirs or Assigns, concerning any Fine levied, or Recovery suffered, by or against the said Lord *Powis*, of Lands in the County of *Montgomery*; nor to *Henry* now Earl of *Kent*, concerning any Lands in *Wales*, whereunto he pretends Title.

CLXII. Stat. 7 & 8 W. 3. cap. 38. After the 24th of *June*, 1696, it shall be lawful for any Persons inhabiting or residing, or who shall have any Goods and Chattels, within the Principality of *Wales*, or Marches thereof, by their last Wills and Testaments to give, bequeath and dispose of their Goods and Chattels, Debts and personal Estate, to their Executors, or to such other Persons as the Testator shall think fit, as by the Laws and Statutes of this Realm may be done within any other Part of the Province of *Canterbury*, or elsewhere: And after the said 24th Day of *June*, the Widows and Children, and other the Kindred of such Testators, shall be barred to claim any Part of the Goods and personal Estate of such Testators, otherwise than as by the said Wills is limited and appointed; any Law, Custom or Usage to the contrary notwithstanding.

CLXIII. Provided, Nothing in this Act shall extend to take away any Right or Title which any Woman now married, or younger Children now born, may have to the reasonable Part of their Husbands or Fathers Estates, by the Custom or Usage in *Wales*.

Walsingham.

1. Stat. 35 H. 8. 13. The Demesne Lands in *Walsingham*, belonging to the late Priory there, may be let by Copy, and shall hereafter be Copyholds.

Wapping-Marsh.

I. Stat. 35. H. 8. 9. An Act for the Partition of *Wapping-Marsh*.

War.

I. Stat. 1 E. 3. 7. Whereas Commissioners have heretofore prepared Men of Arms, and conveyed them to the King into *Scotland, Gascoigne*, and elsewhere, at the Charge of our Shires, whereby the Commons have been much impoverished; the King wills, That shall be done so no more.

II. Stat. 18 E. 3. 7. Men of Arms, Hoblers and Archers, chosen to go into the King's Service out of *England*, shall be at the King's Wages from the Day they depart out of the Counties where they are levied, till their Return.

III. Stat. 25 E. 3. Stat. 5. 8. None shall be constrained to find Men of Arms, Hoblers or Archers, but by Tenure of Land, or Grant in Parliament.

IV. Stat. 4 H. 4. 13. The Statutes of 1 E. 3. 7. 18 E. 3. 7. and 25 E. 3. Stat. 5. 8. shall be holden in all Points; yet so as Lords and all others that have Lands in *Wales*, or the Marches thereof, or hold of the King by Escuage, or other Service, shall in no wise be excused of their Service and Devoirs due to the King for their Lands, Fees, Annuities, Pensions, and other Profits.

V. Stat. 11 H. 7. 18. Every Person in *England* and *Wales*, having any Office, Fee or Annuity of the King's Grant, shall presently attend upon him, when he goes himself in Person to the Wars, (unless he have the King's Licence, or be letted upon some just Cause well proved) in Pain to forfeit such Office, Fee and Annuity. Howbeit, this Act shall not extend to any Spiritual Person, the Master of the Rolls, or other Officer or Clerk of the Chancery, Justices of either Bench, Barons of the Exchequer, or other Officers or Clerks of the said Places, the King's Attorney or Solicitor, Serjeants at Law, or any of the King's Officers in *Berwick* or *Carlisle*, or the Clerk of the King's Council. See also another Statute to the like Effect, for the Forfeiture of Land, made 19 H. 7. 1.

Wards.

Wards.

I. Martb. 17. 52 H. 3. Guardians in Socage shall make no Waste, Sale or Destruction of the Heir's Inheritance, but safely keep the same to the Use of the Heir; and when he cometh to Age shall answer him the Issues thereof by lawful Account, saving their reasonable Costs: Neither shall such Guardian sell the Marriage of such Heir, but to his Advantage; and the Kinsfolk that have such Ward, (from the Time that Writs of impleading have not been granted, (*which seems to be by Magna Charta, 27.*) shall have such Wardship to the Heir's Advantage, without making Waste, Sale or Destruction, as aforesaid.

II. Messm. 1. 21. 3 E. 1. Guardians shall keep the Lands of Wards without Destruction, according to *Magna Charta*; so also shall Archbishopricks, Bishopricks, Abbacies, Churches, and all Spiritual Dignities, be kept in Time of Vacation.

III. The Stat. of Wards and Reliefs; 28 E. 1. The Ward of an Heir that holdeth in Socage, if the Land descended on the Mother's Side, belongs to the next Friend on the Father's Side, & *contra*.

Vide Title Tenures, Sect. 11, 12. For taking away Wardships, &c.

Wares.

I. Stat. 5 El. 7. None shall bring or cause to be brought into this Realm from beyond-sea, any Girdles, Harness for Girdles, Rapiers, Daggers, Knives, Hilts, Pummels, Lockets, Chapes, Dagger-blades, Handles, Scabbards, or Sheaths for Knives, Saddles, Horse-Harness, Stirrups, Bits, Gloves, Points, Leather-Laces, or Pins, being ready wrought beyond-sea, to be sold, bartered or exchanged in this Realm or *Wales*, in Pain to forfeit the same or the Value thereof, to be divided betwixt the Queen and the Prosecutor.

Warranty.

I. Stat. of Bigamy, 6. 4 E. 1. In Deeds containing *Dedi & concessi tale tenementum*, without Homage, or any Clause of Warranty, and to be holden of the Donors and their Heirs by a certain Service; in this Case, the Donors and their Heirs are bound to Warranty: But where the Deed is *Dedi & concessi*, &c. to be holden of the chief Lord of the Fee, or of other, and not of the Feoffors

Feoffors and their Heirs, reserving no Service, and without Homage and the aforesaid Clause; here the Feoffor's Heirs shall not be bound to Warranty: Howbeit, the Feoffor himself during his Life (by Force of his own Gift) is bound to Warranty.

II. Stat. of Gloucester, 3. 6 E. 1. Where Tenant by the Courtlesie aliens his Wife's Land, his Son (having no Assets by Descent) shall not be barred to recover the Land by a Writ of *Mortd'ancestor* of the Seisin of his Mother, albeit his Father's Deed mentioneth, that he and his Heirs shall be bound to Warranty; but in case any Land descend to the Heir of his Father's Side, he shall be barred for the Value of the Inheritance so descended.

III. Also, if afterwards any Inheritance descend to him by the same Father, the Tenant shall recover against him of the Seisin of his Mother, by a judicial Writ to be issued out of the Rolls of the Justices before whom the Plea was pleaded, to resummon his Warranty, as hath been heretofore used in Cases where the Warrantor pleads *riens per descent*, from him by whose Deed he is vouched.

IV. Likewise the Issue of the Son may recover by Writ of Cousinage, *Ayel* and *Desayel*; neither shall the Heir of the Wife be barred of his Action, after the Death of his Father and Mother, by Writ of Entry, for Land which his Father did alien in the Time of his Mother, whereof no Fine is levied by the King's Court.

Waste.

I. Magna Charta, 4. 9 H. 3. No Waste shall be made by the Guardian in Wards Lands; and if the Custody be committed to the Sheriff or any other that is accountable to the King, and they commit Waste, they shall make Recompence; and the Wardship shall be committed to two discreet Men of the Fee, who shall answer for the Issues of the Land to the King or his Assignee.

II. The Committee of the Ward making such Waste shall lose the Custody; and then likewise he shall be committed to two discreet Men, who shall be answerable to the King, as aforesaid.

III. Magna Charta, 5. 9 H. 3. The Guardian of the Ward's Lands shall with the Issues thereof uphold his Houses, Parks, Warrens, Ponds, Mills, and other Things pertaining to the said Lands; and shall deliver unto him, at his full Age, his Lands stored with Ploughs and other Things (at least) as he received them.

IV. The

IV. The like shall be observed in the Custodies of all Spiritual Dignities, which pertain to the King during their Vacancy: Howbeit, such Custodies ought not to be sold.

V. *Parlb. 23. 52 H. 3. pars inde.* (Farmers during their Terms) shall not make Waste, Sale or Exile, of House, Woods, Men, or any Thing else which appertains to the Tenements that they have in Farm, without special Licence had by writing of Covenant, making Mention that they may so do, in Pain that they (being thereof convict) shall yield full Damage, and be grievously punished by Amerciament.

VI. *Stat. of Gloucester, 5. 6 E. 1.* An Action of Waste is maintainable against Tenant by the Courtesie, in Dower, for Life or Years, and the Party attainted thereof shall lose the Thing wasted, and recompence thrice so much as such Waste is taxed at.

VII. As for Waste done in the Time of Wardship, *Magna Charta, 4. 9 H. 3. (before I.)* shall be observed; and moreover, the Guardian shall recompence the Heir for the Waste done, if the Wardship lost shall not amount to the Value of the Damages, before the Heir's full Age.

VIII. *Westm. 2. 14. 13 E. 1.* The Processes in an Action of Waste shall be Summons, Attachment and Distress; and if the Defendant appear not upon the Distress, a Writ of Enquiry shall be directed to the Sheriff to enquire of the Waste; upon Return whereof the Court shall proceed to Judgment, according to the Statute of Gloucester, *cap. 5. before.*

IX. *Westm. 2. 22. 13 E. 1.* An Action of Waste shall be maintainable by one Tenant in common against another, of Wood, Turf, Land, Fishing, or the like; and when the Cause comes to Judgment, the Defendant shall chuse either to take his Part in a certain Place (to be set out by the Sheriff with a Jury) or to grant to take nothing but as his Pernors do: And if he chuse to take his Part in a Place certain, the Place wasted shall be assigned for his Part. The Writ in this Case is, *Cum A. & B. tenant Boscum pro indiviso, B. fecit vastum, &c.*

X. *Stat. of Waste, 20 E. 1.* An Action of Waste is maintainable by the Heir, for Waste done in his Ancestors Time, as for that done in his own Time.

XI. *Artic. super Chart. 18. 28 E. 1.* An Action of Waste is maintainable against Escheators and Sub-escheators, for Waste by them committed in Wards Lands.

XII. *Stat.*

XII. Stat. 11 H. 6. 5. An Action of Waste is maintainable by the Reversioner against Tenant for Life or Years that first alien his Estate to a Stranger, and afterwards (still receiving the Profits thereof) commits Waste. Howbeit, this Statute shall not extend to such Tenants as hold without Impeachment of Waste.

Watches.

I. Stat. 5 H. 4. 3. Watches shall be kept upon the Sea-coasts as they were wont to be; and in that Case the Statute of Winchester shall be observed: Which see in Robbery.

II. In every Commission of Peace hereafter to be made, this Article shall be inserted, viz. That the Justices of Peace shall have Power in their Sessions to enquire of Watches, and to punish them who shall be found in Default, according to the Tenor of the said Statute.

Watermen.

I. Stat. 11 & 12 W. 3. cap. 21. For the better ordering and governing the Watermen, Wherry-men and Lightermen on the River of Thames, between Gravesend and Windsor, it is enacted, That all Laws in Force touching Watermen and Wherry-men, not hereby altered or repealed, shall be duly put in Execution, under the Penalties herein contained; and that every Lighterman or Owner, or Keeper, or Worker of any Lighter, or other barge Craft on the Thames, between Gravesend and Windsor, shall be taken to be of the Society or Company of Wherry-men and Watermen; which Wherry-men, Watermen and Lightermen are hereby made a Society and Company.

II. All such Lightermen on the River of Thames (except Triemen, Fisher-men, Ballast-men, Western-Barges, and Mill-boats, Chalk-Hoys, Faggot and Wood-Lighters, and other Craft carrying the same) shall be registred in a Book kept by the Company of Watermen and Lightermen, and be liable to the Rules of the said Company.

III. The Lord Mayor and Court of Aldermen shall yearly elect eight of the best Watermen, and three of the best Lightermen, the first Court of Aldermen next after the first Day of June, the Overseers and Rulers of the said Wherry-men, &c. who are to maintain good Orders amongst them, and cause the Names of the Lightermen to be registred at their Hall after the 1st day of June, 1700.

IV. The said Rulers and Assistants are on the first Court Day, after the first Day of *June* next, and so yearly, to appoint the Watermen of the principal Towns and Stairs between *Gravesend* and *Windsor*, to choose their Assistants, not exceeding sixty, nor less than forty Watermen; and the Lightermen on the first of *June* next, and so yearly, shall choose nine Lightermen, who, with the Watermen, shall be the Assistants of the said Company, for preserving good Government amongst them, who, on the first Day of *July*, yearly, shall present to the Court of Aldermen five Watermen and two Lightermen, to be Auditors of the said Company, for auditing the Accounts of the Rulers, &c. And Persons elected Rulers, Assistants or Auditors, refusing, or not well exercising their Places, shall forfeit five Pounds.

V. The said Rulers, Auditors and Assistants, may make Rules with Penalties, for the good Government of their Society, which first approved by the Court of Aldermen, and after by the Lord Chief Justice of either Bench, shall be binding.

VI. The Lord Mayor and Aldermen of *London*, and the Justices of Peace in the Shires next adjoining to the *Thames*, between *Gravesend* and *Windsor*, in their several Jurisdictions, upon Complaint of the Overseers and Rulers, shall hear and determine Offences contrary to this Act, and levy the Penalties by Distress.

VII. Persons owning or working any Lighter, or flat Boat for unlading Goods and Merchandizes from Ships, &c. and registering themselves and Servants in the said Company's Books by the 29th Day of *September*, 1700, are hereby declared Lightermen; and none but such registered Persons (besides free Watermen hereafter registered as Lightermen, and such as have served their Time to Lightermen) shall keep or work any Lighters, under Penalty of five Pounds per Week.

VIII. None (except *Trinity-men*) shall row or ply on the said River, &c. in Boats, &c. for carrying Passengers for Profit, but such as have served their Time, or are Servants or Apprentices to Watermen; and all the Penalties of this Act shall be paid by the said Rulers and Overseers, for the Use of the Poor and decayed of the said Society.

IX. The Owners, &c. of any Keys betwixt *Hermitage-Bridge* and *London-Bridge*, may use their own Lighters as heretofore, employing therein qualified Watermen or Lightermen; and Woodmongers may keep and work Lighters by themselves and Servants for carrying their own Goods only.

X. Persons keeping Laystals may carry the Soil thence as heretofore; and Gardeners may bring to the Markets of *London*, &c. their Fruit, Herbs, Roots, &c. and carry Soil in their Boats by their own Servants, as heretofore.

XI. Offences against this Act shall be prosecuted within thirty Days.

XII. Pa

XII. Persons prosecuted for any Thing done in Pursuance of this Act, after the first Day of *June* next, may plead the General Issue, or vouch this Act in Justification; which is declared a publick Act, and if a Verdict pass for the Defendant, &c. he shall have double Costs.

XIII. Offenders punished by this Act, shall not incur the Penalty of any other for the same Offence.

XIV. After the first Day of *June* next, the said Rulers and Overseers, Auditors and Assistants on their Court-Days, may appoint forty Watermen to ply on every Lord's Day, between *Faux-Hall* and *Limchouse*, for carrying Passengers cross the River, at a Penny each; which Watermen shall account next Day for the Money to the said Rulers, &c. who are to pay them for their Labour, and apply the Overplus to the poor decayed Watermen and Lightermen of the Company, and their Widows.

XV. And the Watermen neglecting every *Monday* to pay the whole so earned and received, shall forfeit forty Shillings.

XVI. This Act shall not impeach the Right of *Charles* late Duke of *Richmond* and *Lenox*, Lord of the Manor of *Gravesend*, his Heirs, Executors, &c. for holding there the Court of the Water-course, for the better Government of Barges, Boats, &c. ferrying from *Gravesend* to *London*, and of the Persons owning or working them.

XVII. Nor prejudice any Liberties, &c. of the Mayor, Jurats, &c. of *Gravesend* and *Milton* in *Kent*, touching the said Passage or Ferry thence to *London*, or the Government thereof.

XVIII. Nor to hinder the Watermen of *St. Margaret's Westminster* from plying cross the *Thames* from *Westminster-bridge* to *St. Ann's-gate*, and from the *Horse-ferry* to *Lambeth-bridge* on the Lord's Day, by Turns, as of late, the Monies earned thereby being applied to the poor decayed Watermen and their Widows of the said Parish of *St. Margaret*; and any two Justices of Peace of the said Parish, may call the Watermen so working to Account, and cause the Monies by them earned, to be applied as aforesaid; which Watermen of *St. Margaret's* shall choose two Stewards and a Clerk on the 23d Day of *April*, yearly, and shall at a Meeting of their Society, appoint the Watermen so to work in their Turns, on the Lord's Day.

XIX. Stat. 4 & 5 A. cap. 13. The Clause or Clauses in 1 Jac. cap. 16. (*Vide* Vol. 3. Title *Passage*, Sect. 15.) that restrain taking of Apprentices till of eighteen, and the Son of a Waterman until of sixteen, Years of Age, and the Rules and Orders made by Virtue of 11 W. 3. cap. 21. (*Vide ante*) by the Wherry-men and Lightermen, and all other Rules and Orders for restraining Watermen, Wherry-men and Lightermen free of the Company, from taking and breeding of Apprentices, shall be void.

XX. The Court of Lord Mayor and Aldermen of *London* are authorized to alter and amend By-laws relating to the Company of Watermen and Lightermen. The Amendments to be approved of by the Chief Justice.

XXI. Proviso, Nothing herein to abridge the Right lawfully claimed by *Charles* late Duke of *Richmond* and *Lenox*, Lord of the Manor of *Gravesend*, relating to the Boats using the Ferry from *Gravesend* to *London*.

XXII. Nothing herein to abridge any Grants or Liberties, &c. lawfully held by the Mayor, Jurats, &c. of *Gravesend* and *Milton*, relating to the said Ferry.

Wax.

I. Stat. 11 H. 6. 16. No Wax-chandler shall sell or put to Sale any Candles, or other Wares made of Wax, at a dearer Rate, than that he may have only 4 *d.* in every Pound of Wares above the common Price of plain Wax, in Pain to forfeit all such Ware put to Sale, and the Value of them sold, and besides to make Fine to the King.

II. Justices of Peace, Mayors, Bailiffs and Stewards of Franchises, have Power to examine and search concerning the Breach of this Law, and also to hear and determine the Offences committed against it.

III. Stat. 23 El. 8. None in mingling or making of Wax shall use or cause to be used any Deceit by Mixture or mingling the same with Rosin, Tallow, Turpentine, or other deceitful Thing, to the Intent to sell it, or put it to Sale, in Pain to forfeit the same. And if such deceitful Wax happen to be sold before it be discovered, the Melter or Procurer thereof shall forfeit for every Pound thereof 2 *s.* to be divided betwixt the Queen and the Party deceived, if he will sue; but if not, then the Prosecutor.

IV. Every Melter and Maker up of unwrought Wax shall have a Stamp or Mark of the Breadth of 6 *d.* wherein the two Letters of his Name and Surname shall be graven, and with this shall stamp every such Piece of Wax triangularly in three Places upon the Outside of every such Piece; in Pain to forfeit the Value of every Piece sold or put to Sale not so stamped.

V. None shall melt, mix, work, sell, or put to Sale, any wrought Wax, Stuff, or Wares wrought with Wax, but with good and pure Stuff, fit for such Work, and sealed with the Worker's Stamp, to the End he may be known; in Pain to forfeit all corrupt Wares otherwise wrought, and so sold or put to Sale, to be divided as aforesaid.

VI. None shall sell or put to Sale any false mingled Wax, in Pain to forfeit the same, to be divided as before.

VII. All Casks filled with Honey shall be by the Filler thereof marked with two Letters, standing for his Name and Surname, each Letter being an Inch and one half in Length at least, and burnt upon the Head of each Cask with an hot Iron; in Pain to forfeit 6 s. 8 d. for every Cask of Honey sold or put to Sale, and not so marked.

VIII. None shall fill, sell, or put to Sale, any Cask of Honey for a Barrel, Kilderkin or Firkin, unless they contain as followeth, viz. the Barrel 32 Gallons Wine-measure, the Kilderkin 16, and the Firkin 8. in Pain to forfeit for every half Gallon so lacking 5 s. together with the Cask and Honey therein contained, to be divided as before.

IX. This Act, as to the making of Wax, shall not extend to any selling the Wax of their own Bees in open Markets, nor to any Servant mingling or corrupting Wax by the Command of his Master, so as he will consents them.

X. None shall counterfeit another's Mark, nor stamp thereof without the Owner's Consent, in Pain to forfeit for every such Offence 5 s. to be divided as before; and in case he be not able to pay it, to be set upon the Pillory in the next Market-town to the Place where he offends, and to suffer three Months Imprisonment without Bail.

Wears.

I. Magna Charta, 23. 9 H. 2. All Wears shall be put down by Thames and Medway, and throughout all England, save only by the Sea coast.

II. Stat. de Pannis, 4. 25. E. 3. All Gorges, Mills, Wears, Banks, Stakes and Kiddles, set up in the Time of E. 1. and since, whereby Ships and Boats are disturbed to pass in Rivers as they were wont, shall be utterly pulled down, never to be renewed: And hereupon Writs shall issue to the Sheriffs of the Places where Need shall require, to survey and enquire, and thereof to Execution: Justices also shall be thereupon assigned, as shall be needful.

III. Stat. 45 E. 3. 2. The Statute of Cloth, 4. 25 E. 3. shall be put in due Execution; and if any such Annoyance be done, shall be pulled down by due Process, according to the said Statute.

IV. If any shall repair any such Annoyance, and be thereof convicted, he shall incur the Pain of 100 Marks to the King, to be levied by the Estreats of the Exchequer. The like Law shall

be for Annoyance made for enhancing such Wears, Mills, Stanks, Stakes and Kiddles, as by the new levying of them.

V. Stat. 1 H. 4. 12. The said Statutes of 25 E. 3. 4. and 45 E. 3. 2. shall be put in due Execution.

VI. Commissions shall be made to sufficient Men to be Justices in every County where Need shall be, to survey, and keep the Waters and great Rivers there, to correct the Defaults, and to put the said Statutes in due Execution, as well by their Survey, Advice and Discretion, as by Enquests, both within Franchises and without, as Need shall be, and to hear and determine the Things aforesaid: Also to survey the Wears, Mills, Stanks, Stakes and Kiddles, levied before the Time of E. 1. and to correct, pull down, and amend such of them as they shall find too much enhanced or freightned, saving always a reasonable Sub- stance thereof.

VII. If any such Nuisances be adjudged and awarded by the said Justices fit to be pulled down and amended, the Owner of the Freehold thereof shall make thereof Execution at his own Charge, within half a Year after Notice thereof given to him, in Pain of 100 Marks to be paid to the King by Escheats of the Exchequer: And he that shall cause them to be repaired, enhanced or freightned, against the said Judgment, (being thereof convicted) shall also incur the Pain of 100 Marks, to be paid, as aforesaid. Howbeit, if any shall find himself grieved by the Execution of this Act, upon Complaint he shall be relieved.

VIII. Stat. 4 H. 4. 11. The Statutes of 25 E. 3. 4. 45 E. 3. 2. and 1 H. 4. 12. shall be duly put in Execution.

IX. Commissions shall be awarded to certain Justices and others in every County, where Need shall be, to enquire of Offenders against the said Statutes, and to punish them by Fine at their Discretion; saving to the King the Penalties comprised in the said Statutes.

X. The Escheats of such Fines shall be delivered by the Justices to the Sheriff by Indenture, who shall thereout pay to every Justice, for every Day he shall execute such Commission, and the Sheriff shall be allowed it again upon his Account in the Exchequer.

XI. Stat. 1 H. 5. 2. All the aforesaid Statutes are confirmed and ordered to be put in due Execution.

XII. Stat. 12 E. 4. 7. All the said Statutes are again confirmed; and where by Award of any of the said Commissioners signed (according to the said Statute of 1 H. 4. 12.) it is found that such Wears, Fish-garths, Mills, Mill-dams, Mill-rails, Locks, Ebbing-wears, Kiddles, Flecks, or Flood-gates, are made

levied

levied, raised, strengthened or enlarged against the said Statute, if the Offenders therein, being duly warned thereof by the Sheriff (by *Scire facias*) do not within three Months after such Warning, duly reform such Default, they shall forfeit ten Marks, to be paid as by the said Statute is ordained, and also for every Month after the said three Months that the said Default is not reformed, 100 Marks more, to be divided betwixt the King and the Prosecutor: The Henr also, or the Assignee of such Offender, shall likewise forfeit 100 Marks for every Month that he continues such Disturbances, as aforesaid.

Weights and Measures.

I. Magna Charta, 25. 9 H. 3. One Measure of Wine shall be throughout the Realm, one Measure of Ale, and one Measure of Corn, viz. the Quarter of London; and one Breadth of dyed Cloth, Russet and Habergefts, viz. two Yards within the Lits; and it shall be of Weights as it is of Measures.

II. *Assise Danis & Cerveise*, 51 H. 3. By this Statute the Assize of Bread was rated, viz. when a Quarter of Wheat should be sold for 12 d. wastel Bread of a Farthing (a kind of Bread then in Use) should weigh 6 Pounds 16 s. viz. 6 Pounds 2 Ounces and 12 Penny-weight, according to Troy-weight. For at that Time a Pound of Silver by Troy-weight was a Pound Sterling, or 20 s. and a Penny now was 3 d. then; and so it continued until H. 6. raised the Ounce of Silver (which was before but 20 d. to 30 d. and after that the old Penny was valued at three half Pence. Afterwards E. 4. raised it to 40 d. then H. 8. to 45 d. and last of all Queen Eliz. to 5 s. at which Rate it yet stands. And all this was done by the said Kings and Queen's Proclamations, according to the Exigencies of Affairs in the Commonwealth at the Times when it was so altered.

III. According to the Proportion ordained by this Statute, the ensuing Table is framed for the due Assize of Bread now in Use.

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

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A Table of Affize of Bread, according to Troy-weight, having twelve Ounces in the Pound, and twenty Penny weight in each of these twelve Ounces.

Price of Wheat.	Penny White.	Penny Wheaten.	Penny Household.
s. d.	li. oz. dr.	li. oz. dr.	li. oz. dr.
19 6	1 5 7	2 2 0	2 10 10
20 0	1 4 18	2 1 6	2 9 16
20 6	1 4 10	2 0 14	2 9 0
21 0	1 4 2	2 0 2	2 8 4
21 6	1 3 14	1 11 12	2 7 8
22 0	1 3 6	1 11 0	2 6 12
22 6	1 3 0	1 10 10	2 6 0
23 0	1 2 4	1 10 0	2 5 8
23 6	1 2 8	1 9 12	2 4 16
24 0	1 2 2	1 9 4	2 4 4
24 6	1 1 16	1 8 13	2 3 12
25 0	1 1 10	1 8 6	2 3 0
25 6	1 1 5	1 7 18	2 2 10
26 0	1 1 0	1 7 10	2 2 0
26 6	1 0 15	1 7 3	2 1 10
27 0	1 0 10	1 6 16	2 1 1
27 6	1 0 6	1 6 8	2 0 12
28 0	1 0 1	1 6 0	2 0 2
28 6	0 11 17	1 5 15	1 11 14
29 0	0 11 13	1 5 10	1 11 6
29 6	0 11 9	1 5 4	1 10 17
30 0	0 11 5	1 4 18	1 10 10
30 6	0 10 1	1 4 12	1 10 2
31 0	0 10 18	1 4 6	1 9 16
31 6	0 10 14	1 4 1	1 9 8
32 0	0 10 11	1 3 16	1 9 2
32 6	0 10 8	1 3 12	1 8 16
33 0	0 10 5	1 3 6	1 8 10
33 6	0 10 3	1 3 0	1 8 4

Price of Wheat.				Penny White.				Penny Wheaten.				Penny Household.			
s.	d.	li.	oz.	dra.	s.	d.	li.	oz.	dra.	s.	d.	li.	oz.	dra.	s.
34	0	10	90	19	0	1	2	15	0	1	7	18			
34	6	10	92	16	0	1	2	12	0	1	7	12			
35	0	10	94	13	0	1	2	8	0	1	7	6			
35	6	10	96	10	0	1	2	4	0	1	7	0			
36	0	10	98	8	0	1	2	1	0	1	6	16			
36	6	00	98	5	8	0	1	1	18	0	1	6	10		
37	0	00	99	2	8	0	1	1	14	0	1	6	4		
37	6	00	99	0	8	0	1	1	10	0	1	6	0		
38	0	00	8	1	8	0	1	1	7	0	1	5	16		
38	6	00	8	1	5	0	1	1	4	0	1	5	11		
39	0	00	8	1	3	0	1	1	0	0	1	5	6		
39	6	00	8	1	1	0	1	0	16	0	1	5	2		
40	0	00	8	2	9	0	1	0	12	0	1	4	18		
40	6	00	8	2	7	0	1	0	9	0	1	4	14		
41	0	0	8	5		1	0	0	6		1	4	10		
41	6	0	8	3		1	0	3		1	4	6			
42	0	0	8	1		1	0	0		1	4	2			
42	6	0	7	19		1	0	1	18		1	3	18		
43	0	0	7	17		1	0	1	13		1	3	14		
43	6	0	7	15		1	0	1	11		1	3	10		
44	0	0	7	13		1	0	1	10		1	3	6		
44	6	0	7	11		1	0	1	6		1	3	5		
45	0	0	7	10		1	0	1	4		1	3	0		
45	6	0	7	8		1	0	1	2		1	2	17		
46	0	0	7	6		1	0	1	0		1	2	14		
46	6	0	7	5		1	0	1	0		1	2	10		
47	0	0	7	4		1	0	1	0		1	2	7		
47	6	0	7	2		1	0	1	0		1	2	4		
48	0	0	7	1		1	0	1	0		1	2	1		
48	6	0	6	19		1	0	1	0		1	1	18		
49	0	0	6	17		1	0	1	0		1	1	16		
49	6	0	6	16		1	0	1	0		1	1	14		
50	0	0	6	15		1	0	1	0		1	1	12		
50	6	0	6	14		1	0	1	0		1	1	10		
51	0	0	6	12		1	0	1	0		1	1	8		
51	6	0	6	11		1	0	1	0		1	1	6		
52	0	0	6	10		1	0	1	0		1	1	4		
52	6	0	6	8		1	0	1	0		1	1	2		
53	0	0	6	7		1	0	1	0		1	1	0		
53	6	0	6	6		1	0	1	0		1	1	0		

Price of Wheat.			Penny White.			Penny Wheaten.			Penny Household.		
s.	d.		li.	oz.	dr.	li.	oz.	dr.	li.	oz.	dr.
34	0		0	6	5	10	9	6	1	0	10
34	6		0	6	4	10	9	5	1	0	8
35	0		0	6	3	10	9	4	1	0	6
35	6		0	6	1	10	9	2	1	0	3
36	0		0	6	0	10	9	0	1	0	0
36	6		0	5	19	10	8	18	0	11	18
37	0		0	5	18	10	8	17	0	11	16
37	6		0	5	17	10	8	15	0	11	14
38	0		0	5	16	10	8	14	0	11	11
38	6		0	5	14	10	8	13	0	11	9
39	0		0	5	13	10	8	12	0	11	6
39	6		0	5	12	10	8	10	0	11	4
60	0		0	5	11	10	8	8	0	11	2
60	6		0	5	10	10	8	6	0	11	0

IV. According to the abovesaid Rate (at the Time when this Statute was made) a Baker in a Quarter of Wheat (as was then provided by the King's Bakers) might gain 4 d. and the Bran; and two Loaves for Advantage; for three Servants 1 d. ob. for two Lad ob. for Salt ob. for Kneading ob. for Candle q. for Wood 3 d. and for his Boulcel ob. in toto 12 d. ob. q. which being trebled (according to the Rate of Money now) amounts to 3 s. 1 d. q. and may therefore now conceived fit for the Baker to gain in the uttering of every Quarter of Wheat. Hawbit nite, that by the Book of Affize now in Use published by Proclamation towards the latter End of the Reign of Queen Elizabeth, Bakers inhabiting Corporate Towns (in regard that they pay Scot and Lot there) are allowed 6 s. in every Quarter of the middelprix'd Wheat for their Charge in Baking; and Country or Foreign Bakers only 4 s. For Example; when the middle Price of Wheat is 30 s. the Quarter, for Affize of Town-Bakers, you are to find in the foregoing Table the Affize of Bread answering to 36 s. but for the Affize of Foreign Bakers that of 34 s. And therefore (in that Case) the Penny white Loaf put to Sale by Town-Bakers ought to weigh nine Ounces, eight Penny-weight; but that uttered by Foreign Bakers, nine Ounces nineteen Penny-weight, as appears in the Table.

V. When a Quarter of Wheat is sold for 3 s. or 3 s. 4 d. and Barley for 20 d. or 2 s. and Oats for 16 d. the Quarter, Brewers in Cities may afford to sell two Gallons of Beer or Ale for 1 d. and out of Cities three Gallons for one Penny; and when in a Town three Gallons may be sold for 1 d. out of a Town four Gallons

Gallons may be afforded: And this Assize shall be observed throughout England.

VI. The Assize of Bread shall be rated according to the middle Price of Wheat, and shall not be changed but by 6 d. increasing or decreasing in the Sale of a Quarter: So much of this Statute as relates to the Assize of Bread, is repealed by 1 A. 7. 18.

VII. Stat. de Ponderibus & Mensuris. An English Penny Sterling (being now 3 d.) shall weigh 32 Grains of Wheat taken out of the middle of the Ear, and 28 d. do make an Ounce, 12 Ounces a Pound, 8 Pounds a Gallon, 8 Gallons a London Bushel, which is the eighth Part of a Quarter. Stat. 31 E. 1. See Retail, Weights, 7, 8.

VIII. Stat. of Pillory and Tumbrel, 51 H. 3. If a Baker or Brewer be convicted, not to have observed the Assize; for the first, second and third Fault, he shall be amerced; except the Offence be grievous and often, and then shall the Baker to the Pillory, and the Brewer to the Tumbrel, or some other Correction.

IX. Six Men shall be sworn truly to gather all the Measures and Weights of the Town, and of Mills; and upon the Measures and Weights, as also upon every Loaf, shall the Name of the Owner be distinctly written. After this twelve lawful Men shall be sworn to make true Answer on the King's Behalf, upon the Articles hereafter following; and the Bailiff shall be commanded to bring the Bakers and Brewers with their Measures, and all Things underwritten.

X. Then first the Jury shall enquire the first, second and third Prices of Wheat sold the last Market-day, and also of Barley and Oats; and upon how much Increase or Decrease of the Price of Wheat, the Baker ought to change the Assize of his Bread; and how much it ought to weigh, according to the present Price of Wheat; and whether the Town have a Pillory of convenient Strength.

XI. Again, they shall enquire of the Assize and Price of Wine, and the Vintners Names, and how they sell, and whether they utter that which is wholesome for Man's Body; also of the Assize of Ale in the Court of the Town, how it is; and whether it be observed. And if the Brewers be found to have sold contrary to the Assize, they shall be amerced, or else judged to the Tumbrel.

XII. They shall enquire likewise of such as use double or false Weights or Measures; of Butchers and Cooks that sell unwholesome Meat; and of Rosestallers; which buy any Thing before the accustomed Time of Market.

XIII. Stat. de Ponderibus, 31 E. 1. The Assize or Weight of Wheat shall never be changed, but when there is 6 d. increasing or decreasing, in the Price of a Quarter.

XIV. If

XIV. If a Baker's Bread be found a Farthing-weight lacking in two Shillings & Pence, or under, he shall be amerced; and if it pass the same Number, he shall suffer the Punishment of the Pillory, which shall not be remitted for Gold or Silver; and every Baker shall have a Mark of his own Bread.

XV. According to which Proportion, it seems that if a Baker's Bread wants not a Penny-weight in six Ounces, he shall not incur Amercia-

XVI. Every Pillory or Stretch neck must be made of convenient Strength, so that Execution may be done upon Offenders without Peril of their Bodies.

XVII. The Toll of a Mill shall be taken according to Custom and the Strength of the Water, either to the 10 or 26 Corn; also by a Measure agreeable to the King's Standard, and by the Pipe; and not by Heap or Cantel. And if the Farmers find the Millers their Necessaries, they shall take nothing besides their due Toll, in Pain to be grievously amerced.

XVIII. The Assize of Ale shall be assized, proclaimed and kept, according to the Price of Corn, whereof Malt is made; and the Brewer shall not increase more in a Gallon, but according to the Rate of 6 d. rising or falling in a Quarter of Malt; and if he break the Assize, for the first, second and third Time he shall be amerced, but for the fourth he shall incur the Pillory.

XX. A Butcher that sells Swines Flesh meazled, or dead of the Murrain, shall for the first Time be amerced, for the second incur the Pillory, for the third be imprisoned and make Fine, and for the fourth shall forbear the Town. And in this Manner shall it be done to all that offend in like Case.

XXI. The Standard of Bushels, Gallons and Elms, shall be signed with an Iron Seal of the King's; and no Measure shall be in any Town, unless it do agree with the King's Measure, and be marked with the Seal of the Shire Town.

XXII. If any do sell or buy with Measures unsealed, and not examined by the Mayor and Bailiffs, he shall be grievously amerced.

XXIII. All Measures shall be viewed twice every Year; and if any be convict of a double Measure, he shall be imprisoned and grievously punished.

XXIV. The Standard Bushels and Elms shall be in the Custody of the Mayor and Bailiffs, and of six lawful Persons of the Town being sworn, before whom all Measures shall be sealed; and no Grain shall be sold by the Heap or Cantel, except it be Oats, Malt and Meal.

XXV. No Forestaller shall be suffered to dwell in any Town; and if any be convict of that Offence, for the first Time he shall be amerced, and lose the Thing so bought; for the second, shall have Judgment of the Pillory; for the third, shall be imprisoned.

ed and make Fine; and for the fourth, shall abjure the Town; and like Judgment also shall be given his Accessories.

XXV. An Ordinance for measuring of Land, 34 E. 1. See the Statute at large.

XXVI. Stat. 14 E. 3. 15. There shall be one Weight and one Measure throughout the Realm of England; and the Treasurer shall cause to be made certain Standards of Bushels, Gallons and Weights of Brass, and shall send them into every County where such Standards are not already sent; and thereupon shall be assigned two sufficient Persons of every County (or more, if need be) to survey Weights and Measures according to the Standard, who shall have Power to hear, determine and punish all those that shall thereof be found guilty, and to command the Sheriff to imprison them, till they shall make Fine to the King.

XXVII. The said Officers shall every Year, the next Day after the Feast of St. Michael, deliver their Estreats into the Exchequer, and take for their Expences a fourth Part of that they can levy, and shall answer the King the other three Parts; and the fourth Part also of that they cannot levy shall be answered them in the Exchequer, and the other three Parts shall be levied for the King's Use.

XXVIII. Stat. 25 E. 3. Stat. 5. 9. Auncel Weight shall be quite put out, and weighing shall be by equal Balance, Stat. 34. E. 3. 5.

XXIX. Stat. 25 E. 3. Stat. 5. 10. Every Measure shall be according to the King's Standard, and shall be striked without Heap, saving the Rents of the Lords; and the King shall assign certain Justices in every County to enquire, hear and determine upon the Points aforesaid, and to inflict Punishment according to the Trespas.

XXX. Stat. Statul. 27 E. 3. 10. There shall be one Weight and one Measure, and none shall use any Deceit in weighing Commodities by an uneven Tongue of the Balance, or by putting to Hand, Foot, or other Touch; on Pain to forfeit the Value of the Commodities so weighed, to suffer one Year's Imprisonment, and to be ransomed at the King's Will; and the Parry grieved shall recover quadruple Damages.

XXXI. There shall be Justices assigned to enquire of such Trespases, and to do Right, as well at the King's Suit as at the Suit of the Parry.

XXXII. Stat. 13 R. 2. 9. There shall be one Weight and Measure throughout England; and he that shall be convicted to have

have used any other shall suffer six Months Imprisonment, and yield double Damages to the Party grieved; except in *Leicestershire*.

XXXIII. Stat. 15 R. 2. 4. Eight Bushels of Corn stricken shall be accounted a Quarter, as well by Water as by Land; and none shall buy otherwise, on Pain to forfeit the Corn or Malt bought.

XXXIV. Stat. 16 R. 2. 3. All Weights and Measures shall be according to the Standard of the Exchequer: And the Clerk of the Market shall have all his Weights and Measures ready, together with Marks of the Exchequer, and shall carry and bring them with him when he makes Essay of Weights and Measures; neither shall he nor any other use any other, upon the Pains ordained by former Statutes.

XXXV. Stat. 1 H. 5. 10. No Purveyor of the King, nor any other, shall buy or take any Corn by any other Measure than eight Bushels stricken for the Quarter; and Payment shall be made in Hand for the Carriage.

XXXVI. If any Purveyor offend herein, he shall incur a Year's Imprisonment, and forfeit 5 *l.* to the King, and as much to the Party grieved: And nothing shall be taken for the measuring of Corn.

XXXVII. Justices of Peace have Power to hear and determine these Offences.

XXXVIII. Stat. 2 H. 6. 11. The Tun of Wine shall contain 352 Gallons *English* Measure, the Pipe 126 Gallons, the Barrel of Herrings or Eels shall contain 30 Gallons, the But of Salmon 84 Gallons; and so of other lesser Measure after the same Rate.

XXXIX. None shall import or make any Vessel contrary to this Act, in pain to forfeit the Commodities therein contained to the Lord of the Town where they are found, whereof the Prosecutor shall have the fourth Part.

XL. Justices of Peace, and Mayors and Bailiffs, (having Power to inquire of the Peace) have Power to hear and determine these Offences.

XLI. Stat. 8 H. 6. 5. Every City, Borough and Town within *England* shall have a common Balance, with common Weights sealed, and according to the Standard of the Exchequer, upon the common Coats of the said City, Borough or Town, in the keeping of the Head Officer or Constable there; in Pain that the City for such Default shall forfeit 10 *l.* to the King, the Borough 5 *l.* and every other Town 40 *s.*

XLII. At this Balance all the Inhabitants may weigh *gratis*; but a Foreigner shall for every Draught under forty Pounds pay a Farthing; for a Draught betwixt forty Pounds and an hundred, an Half-penny; and for a Draught betwixt an hundred and a thousand, a Penny; whereof the Weight shall be maintained, and the Officers which attend that Service, rewarded at the Discretion of the said Inhabitants.

XLIII. Justices of Peace, Mayors, Bailiffs and Stewards of Franchises, have Power to hear and determine these Offences.

XLIV. Stat. 9 H. 6. 6. The Burgeses of *Dorchester* shall not be disturbed by the Statute of 8 H. 6. 5. to use their weighing within twelve Miles Compass of that Town, so as they use such Weights as in the said Statute are expressed.

XLV. Stat. 9 H. 6. 8. A Wey of Cheese shall contain 32 Cloves, and every Clove 7 Pound.

XLVI. Stat. 11 H. 6. 8. The Statute of 1 H. 5. 10. and 8 H. 6. 5. shall be duly put in Execution.

XLVII. In every City, Borough and Town, there shall be a common Bushel sealed, and according to the Standard, in like Manner and Pain as in the said Statute of 8 H. 6. 5. is specified for a common Balance.

XLVIII. All Justices of Peace, Mayors and Head-Officers shall have Power to hear and determine the Offences committed against the said Statutes by Examination or Inquisition, and as well at the Suit of the King, as of the Party grieved.

XLIX. The Mayor of *London*, and all other Mayors and Bailiffs, on their Oaths shall be charged to keep and execute all the said Statutes, and shall be accountable in the Exchequer for all Profits and Forfeitures which shall grow due thereupon to the King.

L. Stat. 1 R. 3. 13. The Contents of every Vessel of Wine and Oil; and they shall not be sold until they be gauged by an Officer to be appointed by the King for that Purpose. The Measures are these; a Tun of Wine 252 Gallons, a Pipe 126, a Tertian 84, a Hogshead 63, a Barrel 31 and an half, and a Rundlet 18 and an half.

LI. Stat. 7 H. 7. 4. (or according to Rastal, cap. 3.) Measures and Weights of Brass shall be sent to every City and Borough, there to be kept as their Treasure, according to which all Measures and Weights in every County shall be reformed.

LII. The Mayor or Chief Officer of every such Place shall have a special Mark wherewith he shall seal the said Measures and Weights; and shall take for sealing of a Bushel, a Penny, and of every

every other Measure an Half-penny; for an hundred weight a Penny, for half an hundred an Half-penny, and for every less Weight a Farthing.

LIII. If he refuseth or delayeth to seal them, or do any Thing contrary to this Act, he shall forfeit 40 s. to be divided betwixt the King and the Party grieved, and to be recovered by Action of Debt, wherein no Wager of Law shall be admitted.

LIV. Justices of Peace have Power to hear and determine the said Defaults.

LV. Stat. 11 H. 7. 4. Measures and Weights of Brass shall be sent to Cities and Boroughs there especially named.

LVI. Only Cities, Boroughs and Market-Towns shall be enjoined to have common Balances, Weights and Measures, and all other Towns shall be excused, notwithstanding the Statutes of 8 H. 6. 5. and 11 H. 6. 8. above-mentioned.

LVII. The Mayors and Chief Officers of the said Cities, Boroughs and Market-Towns, which shall have delivered to them such Weights and Measures sealed with the Letter H. crowned, (or with the first Letter of the Name of the King of England for the Time being) shall have Authority and Power to sign such Weights and Measures unto any of the King's Subjects, (duly requiring the same) taking for the marking of every Bushel only 1 d.

LVIII. None shall buy or sell with any other Weights or Measures in any City, Borough or Market-Town, but such as are so marked, nor in any other Place with a Bushel which is not so marked.

LIX. Mayors and Chief Officers shall at least once every Year view all Measures and Weights within their Jurisdictions, and break or burn them which they find defective, and also inflict Punishment upon the Offenders, viz. for the first Offence 6 s. 8 d. for the second 13 s. 4 d. and for the third 20 s. and besides adjudge them to the Pillory.

LX. Two Justices of Peace (1 *Quorum*) have Authority, as well by Examination as by Inquiry, to hear and determine the Defaults of Mayors and other Head-Officers, and also of Buyers and Sellers contrary to this Act, and to set Fines and Amerciaments upon the Offenders at their Discretion; and the defective Weights and Measures are to be forfeited and burnt.

LXI. Eight Bushels of Corn raised and stricken, shall be accounted a Quarter, 14 Pound a Stone of Wool, and 26 Stone a Sack. Howbeit, this Act shall not extend to any Person selling or buying by Water-measure within Ship-board, whereof every Bushel shall contain five Pecks raised and stricken.

LXII. Within the Cinque-Ports the Lord Warden or his Lieutenant shall order the Weights and Measures.

LXIII. Stat.

LXIII. Stat. 12 H. 7. 5. A Bushel shall contain 8 Gallons of Wheat, and every Gallon 8 Pound of Wheat *Troy-weight*, and every Pound 12 Ounces, and every Ounce 20 Sterlings, (*or Penny-weights*;) every Sterling shall weigh 32 Grains of Wheat, that grew in the midst of the Ear of Wheat; and a Standard for the King's Treasury is to be made according to this Assize.

LXIV. Whereas Weights and Measures sent down to Cities and Boroughs last Year by the Statute of 11 H. 7. 4. were found defective, others more perfect shall be sent thither at the Charge of the said Cities and Towns; according to which all other Weights and Measures shall be regulated, upon the Pains in the said Statute contained.

LXV. Stat. 28 H. 8. 14. in fine. The Statute of 1 R. 3. 13. and all other Statutes made for the due gauging and measuring of Wine, Oil, Honey, and other Liquors, shall be duly put in Execution.

LXVI. Every Gauger shall duly gauge all the said Vessels, and mark upon the Head of each of them the true Content thereof, on Pain to forfeit to the Buyer thereof the quadruple Value of that it wants, besides Costs of Suit. The Merchant also shall recompence the Buyer what it wants, according to the Value of the Vessel bought, on Pain to forfeit to the Buyer the double Value of such Vessel sold, together with Costs of Suit.

LXVII. Stat. 22 Car. 2. cap. 8. A Clause in a Statute made in 17 Car. 1. that such Measure as is commonly called Water-measure, shall be used as formerly hath been, shall be repealed as to the measuring Corn, Grain or Salt; and if any sell Corn or Grain, or Salt, by other Bushel or Measure than according to the Standard, and the Bushel stricken even by the Brim, and sealed as this Act directs, shall forfeit 40 s. to be levied in such Manner, and such Penalties for want of Distress to be inflicted, as by the said Act is directed, by Warrant of a Justice of Peace.

LXVIII. If Head Officers of Cities, Boroughs or Corporations, or Liberties, wilfully suffer any to sell or buy Corn or Grain, or Salt by other Measure, or stricken in other Manner, or shall suffer other Measure to be used, than this Act directs, or upon Complaint of the Breach of this Statute, shall not punish and reform the same, upon Conviction thereof at the General Sessions of the Peace, shall forfeit 5 l. one Moiety to the Informer, the other to the Poor of the Parish where the Offence is committed, to be levied by Distress and Sale of Goods, and for want thereof by Imprisonment till Payment.

LXIX. If the Clerk of the Market of the King's House within the Verge, or others authorized by Law to mark or seal Measures within their respective Jurisdictions, shall refuse, being required,

quired, to seal any Bushel, Half-bushel or Peck duly gauged, they shall forfeit for the first Offence five Pounds, and for every other ten Pounds, to be levied as aforesaid: Or if the said Clerk of the Market take more than the accustomed Fees; or if others take more than one Penny for sealing and marking a Bushel, than one Half-penny for an Half-bushel or Peck, or than one Farthing for any Measure containing one Gallon, Pottle, Quart, Pint, or Half-pint, they shall incur the Penalties contained in the said Statute of 17 Car. 1.

LXX. At their Charge who shall have the Toll or Profit of the Market where no Toll is, within any City, Corporation or Market-Town, there shall be before the 29th of September, 1670, one Measure of Brass provided, and chained in the publick Market-place, on Pain to forfeit five Pounds, to be recovered and levied as by this Act is directed; one Moiety to the Poor of the Parish, another to him that will sue for the same.

LXXI. Constables may search and examine if any use other Measures, or strike them in other Manner than this Act directs, and if they find any unsealed Measure, may break the same: And for that and every other Offence against this Act, shall present the Offender at the next Quarter-Sessions.

LXXII. None punished by Virtue of this Act, shall be questioned for the same Offence by Virtue of any other Act.

LXXIII. None shall take Toll, or any Thing in Lieu thereof, but according to such Proportion as the Measures in this Act appointed bear to the Measures whereby the same hath been usually taken.

LXXIV. Stat. 22 & 23 Car. 2. cap. 12. They that sell or buy Corn or Salt without measuring, being thereto required, or in other Manner than by 22 Car. 2. cap. 8. is directed, and that without shaking the Measure by the Buyer, shall forfeit besides the Penalty of the former Act, all the Corn or Salt, or the Value thereof, to the Persons complaining.

LXXV. Upon Complaint to one or more Justices of the Peace the Proof shall lie upon the Defendant to make appear by Oath of one or more Witnesses, that they did buy or sell according to this and the said Act: Wherein if he fail, he shall forfeit as by this Act is directed, to be levied by Distress and Sale of Goods under Hand and Seal of one or more Justices before whom such Conviction shall be; which Penalties shall be distributed, one half to the Poor of the Parish where the Offence was committed, the other to the Informer.

LXXVI. In Markets where there is not a Clerk of the Market the Mayor, &c. or Head Officer, or other having the Benefit of such Market, shall seal Measures duly gauged, brought for that Purpose, taking no more than by the former Act is appointed.

LXXVII. A

White-ashes, Whitegate, Wild-fowl. 307

LXXVII. All they to whom any Salt, Rent-corn, or Tithes Corn is due, may take them by the like Measures as they were paid by before the Beginning of this Parliament.

White-Ashes.

I. Stat. 2 & 3 E. 6. 26. None shall ship, lade, carry or convey any White Ashes towards the Parts beyond Sea, in Pain to forfeit for every Bushel 6 s. 8 d. to be divided betwixt the King and the Prosecutor.

Whitegate.

I. Stat. 33 H. 8. 32. The Church of *Whitegate* in *Cheeshire* shall be a Parish-Church, and no Part of the Parish of *Orr*.

Wild-fowl.

I. Stat. 25 H. 8. 11. None shall destroy or take away the Eggs of any Wild-fowl, in Pain to forfeit for every Egg of a Crane or Bustard so taken or destroyed, 20 d. of a Bittern, Heron or Shovelard, 8 d. and of a Mallard, Teal and other Wild-fowl, 1 d. to be divided betwixt the King and the Prosecutor: And the Justices of Peace have Power to enquire, hear and determine Offences of this Kind, as they used to do in Cases of Trespas.

Wills.

I. Stat. 1. 20 H. 3. Widows may bequeath the Crop of their Ground, as well of their Dowers as other Lands, saving to the Lords of the Fee all such Services as be due for the Dowers of their Tenements.

II. Stat. 32 H. 8. 1. Every Person having Manors, Lands, Tenements or Hereditaments, holden in Socage, or of the Nature of Socage-tenure, and not having any such Manors, Lands, or Tenements holden of the King by Knight-service, Socage-tenure in chief, or of the Nature of Socage-tenure in chief, nor of any other Person by Knight-service, shall have Power to give, dispose, will and devise, as well by his last Will and Testament in writing, as otherwise by any Act executed in his Life, all such Manors, Lands, &c. at his Pleasure.

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III. Every

III. Every Person having Manors, Lands, &c. holden of the King in Socage, or of the Nature of Socage in chief, and having any other Manors, Lands, &c. holden of any other Person in Socage, or of the Nature of Socage, and not having any Manors, Lands, &c. of the King or any other by Knight-service, shall have Power to give, will, dispose and devise, as well by his last Will and Testament in Writing, as otherwise by any Act executed in his Life, all such Manors, Lands, &c. or any of them at his Pleasure.

IV. Howbeit, all such *Primer Seisins*, Reliefs, Fines for Alienation, and all other Rights and Duties for Tenures in Socage, or in the Nature of Socage in chief, as have been heretofore used, are saved to the King; and the said Manors, Lands, &c. are to be taken, had and sued out of the King's Hands by the Person or Persons to whom they shall be so disposed, willed or devised, in like Manner as hath been used by any Heir or Heirs before the making of this Statute.

V. Every Person having Manors, Lands, &c. of Estate of Inheritance holden of the King in chief, by Knight-service, or of the Nature of Knight-service in chief, hath Power by his last Will in Writing, or by any other Act executed in his Life, to give, dispose, will or assign two Parts thereof in three Parts to be divided, or else so much thereof as shall amount to the yearly Value of two Parts thereof in three Parts to be divided, in Certainty, and by special Divisions, that it may be known in Severalty, for the Advancement of his Wife, Preferment of his Children, and Payment of his Debts, or otherwise, at his Pleasure.

VI. Here also the Custody, Wardship and *Primer Seisin*, or any of them, as the Case shall require, of as much of such Manors, Lands, &c. as shall amount to the clear yearly Value of the third Part thereof; as also all Fines for Alienation, upon such Alteration of the Freehold or Inheritance, are saved to the King.

VII. Every Person having Manors, Lands, &c. of Estate of Inheritance, holden of the King in chief by Knight-service, and having other Manors, Lands, &c. holden of the King, or any Thing by Knight-service or otherwise, have Power to give, dispose, will, or assign by Will in Writing, or otherwise by Act executed in his Life, two Parts thereof in three Parts to be divided, or so much thereof as shall amount to the yearly Value of two Parts thereof, to be severed as aforesaid, for the Advancement of his Wife, Preferment of his Children, and Payment of his Debts, or otherwise at his Pleasure.

VIII. Here likewise the Custody, Wardships, *Primer Seisin*, and Fines for Alienations, are saved to the King as before.

IX. Every Person having Manors, Lands, &c. of Estate of Inheritance holden of any other Lord by Knight-service, and other Lands in Socage, or of the Nature of Socage, may give

dispose or assure by Will, or otherwise by Act executed in his Life, two Parts of the Knight-service Land, or so much thereof as shall amount to the yearly Value of two Parts, as aforesaid; and also all the Socage Land at his Pleasure: Saving to such Lord (for his Custody and Wardship) so much of the Knight-service Land as shall amount to the yearly Value of the third Part thereof.

X. Every Person having Manors, Lands, &c. holden of the King by Knight-service, and not in chief, and other Manors, Lands, &c. holden of any other Person in Knight service, and also other Manors, Lands, &c. holden of any other Person in Socage, or in the Nature of Socage, may give, dispose, will, devise and assure, by his last Will, or otherwise by Act executed in his Life, two Parts of the said Knight-service Land, or so much thereof as shall amount to two Parts of the yearly Value thereof, as aforesaid, and all the Socage Land at his Will and Pleasure. Howbeit, here also the Custody and Wardship of so much of the said Knight-service Manors, Lands, &c. as shall amount to the yearly Value of the third Part thereof, are saved to the King, and other Lords respectively; and if the King, or other Lord, have not (in this Case) a full third Part set out for them, they may (respectively) take into their Possession so much of the other two Parts as will make it a full third Part.

XI. Provided, That all Persons shall sue Liveries for Possessions, Reversions or Remainders, and pay Reliefs and Heriots, as they did before the making of this Act.

XII. Fines for Alienations shall be paid in Chancery upon Writs of Entry in the *Poss* for common Recoveries suffered of any Manors, Lands, &c. holden of the King in chief, in like Manner as upon Alienations of such Manors, Lands, &c. by Fine or Feoffment. Howbeit, no other Fine shall be paid there for any such Writs, but only such Fines for Alienation.

XIII. Where two or more hold any Manors, Lands, &c. of the King by Knight-service jointly to them and the Heirs of one of them, and he that hath the Inheritance dieth, his Heir being within Age, the King shall have the Ward and Marriage of such Heir, the Life of the Freeholder or Freeholders notwithstanding: Saving to every Woman her Interest of Dower in such Lands, to be assigned out of the two Parts thereof, severed from the third Part, as aforesaid, and not otherwise; and saving also to the King the Reversions of all such Tenants by Joint-tenure and Dower, after the Death of such Tenants, in case they happen to die during the Nonage of the King's Ward.

XIV. Stat. 34 & 35 H. 8. 5. Where the Statute of 32 H. 8. mentioneth Manors, Lands, &c. of Inheritance, it shall be expounded and taken of Estates in Fee-simple.

XV. Every Person having a sole Estate in Fee-simple, or seized in Coparcenary, or in Common in Fee-simple, in any Manors, Lands, Tenements, Rents, or other Hereditaments, in Possession, Reversion or Remainder, and having no more Manors, Lands, &c. holden of the King, or of any other, by Knight-service, may give, dispose, will or devise to any Person or Persons, (except Bodies Politick and corporate) by his last Will and Testament in Writing, or by Act executed in his Life, by himself solely, or by himself and others jointly, severally or particularly, or by all those Ways, or any of them, as much as in him of Right is, all his said Manors, Lands, Tenements, Rents and Hereditaments, or any of them, or any Rents, Commons, or other Profit out of the same, or any Parcel thereof, at his free Will and Pleasure.

XVI. Every Person having such an Estate, or seized, as aforesaid, of or in any Manors, Lands, Rents, &c. in Possession, Reversion or Remainder, or of or in any Rents or Services incident to any Reversion or Remainder holden of the King by Knight-service in chief, or of the Nature of Knight-service in chief, may give, dispose, will or assign to any Person or Persons, (except Bodies politick and corporate) by his last Will and Testament in Writing, or by any Act executed in his Life, by himself solely, or by himself and others jointly, severally or particularly, or by all those Ways, or any of them, as much as in him of Right is, two Parts, as well of the said Manors, Lands, &c. as of all other Rents, Commons, Profits or Commodities out of, or to be perceived of the same two Parts, or out of any Parcel thereof, in three Parts to be divided, or as much thereof as shall amount to the yearly Value of two Parts thereof, in three Parts to be divided, (of what Person or Persons soever they be holden) at his free Will and Pleasure.

XVII. Such Wills so declared shall be good for two Parts of the said Manors, Lands, &c. although it be made of the whole, or more than the two Parts thereof: The said Division to be made by the Devisor or Owner of the said Manors, Lands, &c. by Will in Writing, or otherwise in Writing; and in Default thereof by Commission out of the Court of Wards, upon Enquiry of the true Value thereof by the Oaths of twelve Men. And upon Return thereof in the same Court the Division shall be made by the Master of the Wards, if the said Master and Parties cannot otherwise agree upon the Division; and the Issues and Profits of the two Parts shall be restored to them that shall have Right thereunto, from the Death of the Owner or Devisor.

XVIII. Every Person being seized solely, in Coparcenary, or in Common, as aforesaid, of any Manors, Lands, Rents, &c. in Possession, Reversion or Remainder, or of any Rents or Services incident to any Reversion or Remainder, holden of the King by Knight-service, and not in chief, or of any other Person by Knight-

Knight-service, may give, dispose, will or devise to any Person, (except to Bodies Politick) by his last Will and Testament in Writing, or by Act executed in his Life, solely or jointly, as aforesaid, two Parts thereof, or any Rents, Commons or Profits, to be perceived out of the same two Parts, or out of any Part thereof, &c. And such Will shall be good for such two Parts, albeit it be made of the whole Lands so holden, or of more than the said two Parts; and shall be also good for all Lands not holden in Knight-service, and for all Rents, Commons, and other Profits to be perceived out of the same.

XIX. Here also the Division of the third Part is to be made as before, where it concerns the King's Interest; but where it concerns other Lords, the Division shall be by Commission out of the Chancery, if such Lords, and the Parties in the mean time cannot agree thereupon.

XX. The Savings (in this Act and in that of 3 H. 8. 1.) of Custody, Wardship, Relief and *Primer Seisin* to the King, and of Custody and Wardship to other Lords, shall be expounded thus: That the King shall have for his full third Part such Manors, Lands and Tenements, as shall descend, as well in Fee-tail as in Fee-simple, to the Heir of the Person that made such Will or Disposition, as aforesaid; and that the Will or Gift of the two Parts shall be good in Law, albeit the Will or Gift be made of all the Fee-simple Lands, or the more Part thereof. Howbeit, if the King have not a full third Part left him, he shall take out of the two Parts so much as shall make it up, to be severed by Commission, as aforesaid. And such Advantage also is given to other Lords for their third Parts; and the like shall both the King and they do, in case their third Parts, or any Parcel of them, be evicted from them, or determined.

XXI. A Pardon of Alienation must be sued by those to whom Lands are devised, for which they shall pay a third Part of the Value of the Lands holden in chief; and this Act shall be sufficient Warrant for the Lord Chancellor to grant such Pardons under the great Seal, without farther Suit to be made to the King for the same.

XXII. Wills or Testaments of Manors, Lands, &c. made by Females-Covert, Infants, Ideots, or Persons of *non sane* Memory, shall not be good in Law.

XXIII. If any Person or Persons shall (by Will or Act executed) make any Estate for Years, Life or Lives, with one Remainder over in Fee, or with divers Remainders over for Term of Life, Years, or in Tail, with a Remainder over in Fee-simple, or any other Estates, Conditions, Mesnalties, Tenures or Conveyances, by Fraud or Covin, to the Intent to defraud the King of his Prerogative, *Primer Seisin*, Livery, Reliefs, Wardships, Marriages or Rights, or any other Lords of their Wardships, Reliefs, Heriots, or other Profits, and such Estates or other

Conveyances, be found by Office to be so made by Covin, Fraud or Deceit; in this Case the King shall enjoy his Prerogatives and Profits aforesaid; according to this and the said former Act, (notwithstanding such Estates or Conveyances) until such Office be annulled, by Travette or otherwise. Also other Lords shall have their Remedy in such Cases for their Wardships by Writ of Right of Ward, and shall distrain, and make Avowry or Compulsance, by themselves or their Bailiffs, for their Reliefs, Heriots, and other Profits, as if no such Estate had been made. Howbeit, the Right and Title of the Donees, Feoffees, Lessees and Devisees thereof, against the Devisor and his Heirs, after the Interest of the King and other Lords determined, are saved.

XXIV. Provided, That every Person from whom the King or other Lord shall take any Manors, Lands, &c. for their third Part, or to make it up, may have Relief in Chancery against every Person who shall be entitled (by any such Will or Gift) to the other two Parts, to have such Contribution for the same as the Lord Chancellor or Keeper shall think convenient.

XXV. Stat. 4 & 5 W. & M. cap. 2. From after the 26th Day of March, 1693, Persons inhabiting, or who shall have any Goods, within the Province of York, may by their last Wills dispose of all their personal Estate as they shall think fit; and their Widows, Children, and other Kindred shall be barred to claim any Part of the personal Estate in other Manner than as by their Wills shall be appointed.

XXVI. This Act shall not extend to the Citizens of the Cities of York and Chester, who are or shall be Freemen of the said Cities, inhabiting within the same, or the Suburbs thereof, at the Time of their Death.

XXVII. Stat. 2 A. cap. 5. The last Section. after the 20th of March next, 1704, so far as the same concerns the City of York, repealed. And enacted, That the Citizens of York, who are or shall be Freemen, may by their last Wills dispose of their Goods, Chattels, and personal Estates.

XXVIII. Proviso, That this Act shall be taken, and allowed as a publick Act of Parliament.

XXIX. Stat. 4 & 5 A. cap. 16. Witnesses that are good Witnesses at Trials at Common Law, shall be deemed good Witnesses to prove a nuncupative Will, or any Thing relating thereunto.

XXX. The Salary, Wages or Pay due for Work done in any her Majesty's Yards or Docks, shall not be deemed *bona notabilia*, whereby to found the Jurisdiction of the Prerogative-Court, to grant the Probate of Wills or Letters of Administration.

Windows.

I. The additional Duties by the Act 8 A. cap. 4. over and above what was granted per 7 & 8 W. 3. cap. 18. (which see in Title Taxes, 235) and which by 5 A. cap. 13. were continued for ever; (which see in Title Exchequer, 17.) are as follow.

II. These new Duties are granted for thirty Years, commencing from the 29th of September, 1710, and are,

III. For every Dwelling-house having twenty Windows, or more, and under thirty Windows, ten Shillings every Year. And these were charged with ten Shillings by the former Act.

IV. The Duties to be charged on the Inhabitants and Occupiers of Houses, to be paid half-yearly.

V. Justices of Peace are to be Commissioners for putting this Act in Execution.

VI. Queen may appoint Surveyors and Receivers-General, who are to pay the Money into the Exchequer.

VII. Duties to be raised as per Act 7 & 8 W. 3. cap. 18. (which see in Title Taxes, 235.) and as per Act 8 & 9 W. 3. cap. 20. (which see in Title Taxes, 361.) and as per Act 1 A. cap. 13. (which see in Title Deficiencies, 1.) and as per Act 5 A. cap. 13. (which see in Title Exchequer, 17.) and as per Act 7 A. cap. 13. (which see in Title Bank of England,) or by any of them now in Force.

VIII. Every Edifice in the Universities having twenty Windows in the several Tenure of any one Person, is chargeable with the Duty.

Wines.

I. Stat. of Gloucester, 15. 16 E. 1. The Mayor and Bailiffs (now Sheriffs) of London, before the coming of the Barons, (which should be at their rising after Candlemas-Term, as appears by the 14th Chapter of this Statute) shall enquire of Wine sold against the Assize, and shall present it before them at their coming, and then they shall be amerced, whereas they were wont to tarry until the coming of the Justices. *Obsolete.*

II. Stat. 4 E. 3. 12. None shall sell Wines but at a reasonable Price, according to the Price at the Ports from whence they come, allowing the Expence of their Carriage to the Places where they are sold. Trial shall be made of such Wines twice a Year, viz. at Easter and Michaelmas, and Officers, if Need require, by the Lords of Towns and their Bailiffs, and likewise by Mayors and Bailiffs; and all corrupt Wines shall be poured out, and the Vessel broken. Also the Chancellor, Treasurer, Justices
of

of the Benches, and Justices of Assize, shall have Power to enquire of Mayors, Bailiffs and Ministers of Towns that do not observe this Ordinance, and to punish them as Reason requires.

III. Stat. 27 E. 3. Stat. 1. cap. 5. No English Merchant shall forestal Gascoign Wines, nor buy them of any Gascoign or other, to pay in England, for any greater Price than they are commonly sold at in Gascoign, (because of Prest. Peril of the Sea, and by any other Colour) in Pain of Life and Member, and to forfeit their Wines, Goods and Chattels to the King, and their Lands to the chief Lords. *But here the Felony and Forfeiture of Lands are repealed by 37 E. 3. 16. Obsolete.*

IV. Cap. 6. Gascoign Merchants, and other Strangers, may bring their Wines to what Port of England they please; so as the King's Butler may make Purveyance for Wines of Aliens, making Payment for them within forty Days. *Obsolete.*

V. Cap. 7. No English Merchants shall buy Wines of Gascoign before the Vintage, nor then, but at Bourdeaux and Bayon, upon the Pain mentioned in the 5th Chapter. *But that as to the Felony and Forfeiture of Lands is repealed by 37 E. 3. 16. as aforesaid. Obsolete.*

VI. Stat. 37 E. 3. 16. The Felony and Forfeiture of Lands inflicted by 27 E. 3. 5 & 7. are repealed, and Enquiry shall be yearly made within the King's Dominions in Gascoign, of Couchers of England, who lie there to buy Wines. *Obsolete.*

VII. Stat. 38 E. 3. 10. A Confirmation of the Statutes made for Wines. *Obsolete.*

VIII. Stat. 38 E. 3. 11. All Merchants Denizens, that be not Artificers, may go into Gascoign to fetch Wines, and Aliens may bring Wines into this Realm.

IX. Stat. 43 E. 3. 2. English, Irish and Welshmen, (being not Artificers) may fetch Wine in Gascoign, so as they find Sureties to buy 100 Tun of their own Goods, and to bring the same into England, Ireland or Wales.

X. Stat. 6 R. 2. Stat. 1. 7. Sweet Wines shall be sold in England at the Price that Gascoign or Rhenish Wines are sold for, and not above, on Pain to forfeit the same.

XI. Stat. 23 H. 6. 18. No new Impositions shall be laid upon them that buy Wines in Gascoign and Guienne by any of the King's

King's Officers in those Parts, on Pain of 20 *l.* and treble Damages. *Obſolete.*

XII. Stat. 28 H. 8. 14. The Lord Chancellor, Treasurer, President of the Council, Privy Seal, and the two chief Juſtices, or five, four, or three of them, have Power at their Diſcretions, to ſet the Prices of all Sorts of Wines, *viz.* of the But, Tun, Pipe, Hogſhead, Puncheon, Tierce, Barrel or Rundlet, when they ſhall be ſold in Groſs; ſo as they cauſe the Prices ſo ſet to be written, and openly proclaimed in Chancery in the Term-time, or elſe in the City, Borough or Town, where any ſuch Wines are ſold in Groſs.

XIII. None ſhall ſell Wine otherwiſe than according to the Prices ſo ſet and proclaimed as aforeſaid, on Pain to forfeit 40 *l.* for every Veſſel otherwiſe ſold, to be divided (in a Corporation) betwixt the King and the Head Rulers there, but (out of a Corporation) betwixt the King and the Proſecutor.

XIV. Juſtices of Peace and Head Officers have Power to hear and determine the Defaults of all ſuch as ſell Wine in Groſs or by Retail, contrary to this Act.

XV. Stat. 37 H. 8. 23. The great Officers appointed by the Statute of 28 H. 8. 14. to ſet Prices upon Wines, ſhall ſo ſet them between the 20th Day of November, and the laſt Day of December, and at no Time elſe; and none that ſell Wines either in Groſs or by Retail, ſhall ſell them above thoſe Prices, upon the Penalries in the ſaid Statute of 28 H. 8. contained.

XVI. If any reſuſe to ſell their Wines accordingly; in London the Mayor, Recorder, and two ancient Aldermen, being no Vintners, and in other Places the Mayor, Bailiffs, Aldermen, and other Officers, whereof the chief Officer is to be one, may enter the Houſes of ſuch Perſons, and ſell their Wines at the Prices ſo aſſeſſed as aforeſaid.

XVII. Stat. 7 E. 6. 5. None ſhall utter Wine by Retail in any other Places, than in Cities, Boroughs, Port-towns, or Market-Towns, or in *Graveſend, Sittingborn, Tuxford or Bagſhot*, on Pain to forfeit 10 *l.* for every Day that they ſell Wine otherwiſe.

XVIII. None ſhall utter Wine by Retail in any City, Borough or Corporation, but by Licence of the moſt Part of the Common Council, Aldermen, Burgeſſes or Commonalty there, under their Common Seal; nor in any City, Borough, Port-town, or Market-town, not corporate, or in *Graveſend, Sittingborn, Tuxford or Bagſhot*, without Licence of the Juſtices of Peace of the County in Sessions under their Seal; in Pain to forfeit 5 *l.* for every Day that they ſell Wine otherwiſe; which ſaid Officers, Commonalty and Juſtices, have Power to continue or change ſuch

such Licences at their Discretions; but shall not licence above two in one Place, in Pain to forfeit 5 *l.* a-piece, except in those hereafter following, in which it shall be lawful to licence more than two, viz. in

London	40	Exeter	4	Canterbury	4
York	8	Salisbury	3	Ipswich	3
Notwich	4	Gloucester	4	Winchester	3
Westminster	3	West-Chester	4	Oxford	3
Bristol	6	Hereford East	3	Cambridge	4
Lincoln	3	Worcester	3	Colchester	3
Hull	4	Southampton	3	Newcastle	4
Shrewsbury	3				

XIX. None shall sell or utter Wine by Retail to be spent in his or their Mansion house, or in any other Place in their Tenure, by any Colour, Craft or Engine, on Pain of 10 *l.*

XX. The abovesaid Forfeiture shall be divided betwixt the King and the Prosecutor.

XXI. Justices of Peace within every County and Corporation in Sessions, Stewards in Leets, and Sheriffs in their Turns, have Power to enquire (by the Oaths of twelve Men) of all Offences committed against this Act; in which Case the Forfeitures which thereupon grow due, shall be divided betwixt the King and the Poor of the Town or Place where the Presentment shall be found.

XXII. This Act shall not prejudice the Liberties of either of the Universities, nor charge any Person offending, unless the Suit be prosecuted within a Year.

XXIII. Stat. 12 Car. 2. cap. 25. No Person not authorized as by this Act is appointed, shall utter by Retail any Wines, on Pain to forfeit for every such Offence 5 *l.* one Moiety to the King, the other Moiety to him that will sue for the same.

XXIV. The King may issue out under the Great Seal Commissions to two or more, to licence whom they think fit, to sell Wine by Retail, according to the Directions of this Act. Such Persons so appointed shall be called his Majesty's Agents for granting Licences for the selling and uttering Wine by Retail; and may under their Seal of Office to be appointed by the King, grant such Licence for any Term not exceeding 21 Years, if the Person so long live, and for such Rent as they can agree, to be answered half-yearly, and no Fine to be taken.

XXV. Such Licence shall not be granted but to such as personally use the Trade, or to the Landlord of the House, nor shall be assignable.

XXVI. The

XXVI. The King may appoint other Officers to carry on this Service, so as their Salaries, with the Wages of his said Agents, exceed not 6 *d.* in the Pound of the Revenue, that shall hence arise. Which Revenue, except such Wages, shall be duly paid into the Exchequer, and not charged with any Gift or Pension. The said Agents shall return into the Exchequer every *Michaelmas* and *Easter* Terms upon Oath, an Account of what Licences have been granted, and what Rent reserved, and what is in Arrear, with the Securities of Persons so in Arrear.

XXVII. The Privileges of the Universities saved, and of the Company of Vintners in *London*, and those of other Cities and Towns Corporate, and the Powers and Authorities granted by Queen *Elizabeth* and King *James*, to the Mayor and Burgeses of *St. Albans* in *Hertfordshire*, for licensing three Taverns towards the Maintenance of the Free School there.

XXVIII. The Officers to be appointed shall take nothing in respect of this Service, but 5 *s.* for a Licence, 4 *d.* for an Acquittance, and 6 *d.* for a Bond, under the Pain of 10 *l.* one half to the King, the other to the Prosecutor.

XXIX. All Persons that sell Wines in gross, mingled or abused, shall forfeit 100 *l.* for every Offence; and all selling such Wines by Retail 40 *l.* one half to the King, the other to the Informer. No *Spanish* or sweet Wines shall be sold for above 18 *d.* per Quart by Retail. No *French* Wines above 8 *d.* No *Rhenish* Wines above 12 *d.* and so proportionably; on Pain of 5 *l.* for every Quantity so sold; the one Moiety to the King, the other to him that will sue.

XXX. But the Chancellor of *England*, the Treasurer, President of the Council, Lord Privy Seal, the two Chief Justices, or five, four or three of them, may yearly between the 20th of *November*, and the last of *December*, set the Prices of Wines at higher or lower Rates than as aforesaid: Proclamation whereof to be made in the Chancery in Term-Time, or in the City, Borough, or Town Corporate, where such Wines shall be sold; and in Default of such setting, the Prices set by this Act shall be observed. Confirmed 13 *Car. 2. cap. 7.*

XXXI. Stat. 15 *Car. 2. cap. 14.* *James* Duke of *York*, and the Heirs male of his Body, shall have all the Powers and Authorities mentioned in 12 *Car. 2. cap. 25.* to grant Licences to sell Wines by Retail, with all the Profits thereof, and that Moiety of the Forfeitures, which by the said Act is given to the King: And such Persons as he or his Heirs male shall appoint, may under such Seal as he or his Heirs male shall appoint, grant such Licence for any Time not exceeding 21 Years, if the Grantees shall so long live, at such Rents, and under such Conditions as they think fit; but shall take no Fines. For which Rent the Duke and his Heirs male may sue by Bill, Plaint, or Action of Debt

Debt in his own Name in any Court of Record, or in the King's Name in the Exchequer; Rents and Arrears, reserved upon Leases already made, shall be paid to the Duke and his Heirs male.

XXXII. The Privileges of the Company of Vintners *London* saved, and of the Mayor and Burgesses of *St. Albans*, and of the Universities.

XXXIII. Stat. 22 & 23 Car. 2. cap. 6. The Revenue of Wine Licences, with all the Profits thereof, and the Powers of granting Licences for retailing Wines, shall be vested in the King, his Heirs and Successors. And in Satisfaction thereof the King's Letters Patent, whereby there shall be granted to the Duke of York, and the Heirs male of his Body, the yearly Sum of 24000 l. out of the King's Revenue of Excise of Beer and Ale, &c. arising out of the Counties of Buckingham, Essex, Kent, Norfolk, Suffolk, Berks, Bedfordshire, Cambridgeshire, Yorkshire, Hertfordshire and Somersetshire, shall be good in Law. *Vide plura* in the Statute at large.

XXXIV. Stat. 1 Jac. 2. cap. 12. The King shall from henceforth stand and be seized of and in the said yearly Rent or Sum of 24000 l. (mentioned in the Act next before going) of one entire and indefeasible Estate in Fee-simple; the said Act of Parliament notwithstanding.

Witness.

I. Stat. 12 E. 2. 2. When a Deed or other Writing is denied in Court, wherein Witnesses are named, Process shall be awarded to cause them to appear; and if they come not at the great Distress returned, or the Return be, that they have nothing, or that they cannot be found, yet the Enquest shall proceed: But if the Witnesses appear at the great Distress, and the Enquest for some Cause remain untaken, the Witnesses shall have like Day given as is assigned for the taking of the Enquest; when if they appear not, the Issues first returned upon them shall be forfeit; and the taking of the Enquest shall not be deferred because of their Absence, neither yet for the Absence of Witnesses dwelling in a Franchise where the King's Writ runs not.

II. Stat. 5 Eliz. 9. *pars inde*. None served with Process out of a Court of Record to testify as a Witness (being rendered convenient Charges, and having no reasonable Let) shall therein make Default, on Pain to forfeit to the Party grieved 10 l. and besides to yield him such farther Recompence as the Judge of the same Court shall think fit, according to the Damage sustained; which

which said Sums shall be by him recovered in any Court of Record by Action of Debt, in which no Wager, Essoin, &c. shall be allowed.

Wood.

I. Stat. 35 H. 8. 17. In every several Wood, called Coppice or Underwood, which shall be felled at 24 Years Growth or under, there shall be left unfelled for every Acre thereof 12 Standils of Oak; and in case there shall not be so many Oaks, that Number shall be made up of Elm, Ash, Asp or Beech; which Standils or Storers shall not be cut down until they shall bear ten Inches square within three Foot of the Ground; on Pain that every Owner of such Woods shall forfeit for every Standil not so left, 3 s. 4 d. and also for every such Standil so left and afterwards cut down, as much: Both which Forfeitures shall be divided between the King and the Prosecutor.

II. Underwoods felled at 14 Years Growth, or under, shall during four Years next after the 20th of April after their felling, be preserved from Destruction of Cattle; on Pain that the Owner thereof shall forfeit for every Rod thereof unfenced, for every Month, 3 s. 4 d. And Underwoods above 14 Years Growth, and under 24, being so felled, shall during six Years next after the 20th of April after such felling be so preserved as aforesaid, upon the like Pain.

III. None shall convert into Pasture or Tillage any such Underwood or Coppice, containing two Acres or above, and being two Furlongs distant from the House of the Owner thereof, or from the House from whence such Wood doth appertain; on Pain to forfeit 40 s. for every Acre so converted.

IV. The Owner of Coppices above 24 Years Growth shall, at the felling thereof, leave twelve such Standils of Oak, or otherwise of Elm, Ash, Beech or Asp, as aforesaid, on Pain to forfeit 6 s. 8 d. for every Standil not so left; and shall not cut them down before they be of two Years Growth, on Pain of 6 s. 8 d. for every one so cut down; and farther, shall preserve such Underwood seven Years after their felling from the Destruction of Cattle, by Fencing; on Pain to forfeit for every Rood thereof unfenced, for every Month 3 s. 4 d.

V. Howbeit, the Owner of such Underwoods may fell such Standils aforesaid for his own Use, for Buildings, repairing, inclosing and maintaining of Houses, Orchards or Gardens, or for pailing or railing, or inclosing of Parks, Forests, Chases, or other Grounds, or for the making or repairing of Water-works, Dams, Bridges, Flood-gates, or other Vessels, notwithstanding this Act.

VI. Where

VI. Where there is such a Wood or Coppice wherein others have Common, the Lord (Owner of the Soil) shall not fell or cut down the same, (except to his own Use) before he and the Commoners shall agree in the setting out a fourth Part thereof, to be severally inclosed for the Lord's Use: And in case they cannot agree thereupon, two Justices of Peace, appointed by the more Part of the Justices in Sessions, shall have Power to call together twelve of the Commoners and Inhabitants there, and, with the Lord's and their Consent, to set out the fourth Part thereof, to be severally inclosed by the said Lord within one Month after, and then to be felled at his Pleasure; and also to be subject to the aforesaid Laws of other Coppices, upon such Penalties as aforesaid. Only, if any Beast be suffered to come into such fourth Part within seven Years after they are felled, the Owner of such Cattle shall forfeit for every such Beast, 4 s. And if the Owner of such Wood or Coppice cut down any Trees or Underwoods there, contrary to the Form aforesaid, he shall forfeit for every Tree so cut down, 6 s. 8 d.

VII. The said Forfeitures are to be recovered in any Court of Record, and to be divided betwixt the King and the Prosecutor.

VIII. Here, during the said seven Years next after felling of such fourth Part, the Commoners shall be excluded from commoning therein; so also shall the Lord be debarred to common in the Residue. But after the said seven Years expired, both the Lord and the Commoners may intercommon in the whole, as they did before the Division.

IX. Provided that every one may fell and inclose all such his Coppices or Underwoods in waste Grounds as before this Time have used to be inclosed, and preserved for the Maintenance of Wood and Underwood, notwithstanding this Act.

X. The Commoners also (in case the said Lord do not sell his fourth Part within four Months after such Division) may common in the said Part until it be felled.

XI. This Act shall not extend to Underwoods in the Wild of Kent, Surrey and Sussex, save only to the common Woods there.

XII. Neither shall it extend to any Timber-trees growing within two Miles of the Sea in Cornwall, dead at the Top, or taken by the King's Commission: neither shall any Offender be punishable by this Act, unless he be prosecuted within one Year after the Offence committed.

XIII. None shall break or destroy any Fence or Hedge made for the saving of any such Woods or Underwoods, in Pain of 10 s. Neither shall any suffer his Swine (of the Age of ten Weeks or above) to go or run in any such Grounds or Woods unringed or unpegged, on Pain to forfeit for them, 4 d. apiece. Which said Forfeitures (in the King's Woods) shall be divided betwixt the

the King and the Finder ; but (in other Woods) betwixt the Owner of the Field and the Prosecutor.

XIV. Underwoods in a Park shall be preserved by fencing only four Years after the felling thereof.

XV. If such Woods happen to be destroyed by the Means of a Stranger, and not by the Owner himself, or by his Neglect, the Stranger shall be subject to the Penalties of this Act, and not the Owner.

XVI. Yearling Colts or Calves may be put into such Woods within two Years after the felling thereof.

XVII. Stat. 1 El. 15. None shall convert or employ to Coal or other Fuel, for the making of Iron, any Timber-tree, or Trees of Oak, Beech or Ash, of the Breadth of a Foot square at the Scrubs, and growing within fourteen Miles of the Sea, or of any Part of *Thames, Severn, Wye, Humber, Dee, Tine, Taus, Trent*, or other navigable River, in Pain to forfeit 40 s. for every Tree so converted, to be divided betwixt the King and the Prosecutor.

XVIII. This Act shall not extend to *Suffex*, the Wilds of *Kent*, or to the Parishes of *Charlewood, Newdigate* or *Leigh*, in the Wilds of *Surrey*.

XIX. Stat. 13 El. 25. All Woods or Coppices intended by the Statute of 35 H. 8. 17. to be inclosed, and the Springs thereof preserved, shall be so saved by the Space of two Years more than in the several Clauses of the said Act is severally limited, according to the Age of such Woods felled, upon such Pains as in the said Act are contained : And none shall put any Cattle into any such Coppice-Woods from the Time of the Fall until the End of five Years ; nor from the End of five Years, any Cattle but Calves and yearling Colts only, until the End of the six Years, if the Wood was under fourteen Years Growth at the last Fall, or until the End of eight Years, if it was above fourteen Years Growth. And this Addition shall continue as long in force as the said Statute of 35 H. 8. 17.

XX. Stat. 23 El. 5. None shall convert into Coal or other Fuel, for the making of Iron or Iron-Metal, any Wood or Underwood growing within the Compass of 22 Miles of *London* or the Suburbs thereof, or of the River of *Thames* from *Dorchester* in *Com. Oxon.* downwards, or within four Miles of the Foot of the *Down*, betwixt *Arundel* and *Pemsey* in *Com. Suffex*, or of *Winchelsea* or *Rye*, or within two Miles of *Pemsey*, or three Miles of *Hastings* : in Pain to forfeit for every Load so converted, 50 s. to be divided betwixt the Queen and the Prosecutor.

XXI. This Act shall not extend to any Woods growing in any such Parts of the Wilds of *Surrey, Suffex* or *Kent*, within 22 Miles

Miles of *London* or *Thames*, as is distant above 18 Miles from *London* or *Thames*.

XXII. No new Iron-Works shall be erected within 21 Miles of *London*, 14 Miles of *Thames*, or four Miles of the said *Dowry*, *Pemsey*, *Winchelsey*, *Hastings* or *Rye*, in Pain of 100 l. to be employed as aforesaid.

XXIII. This Act shall not extend to the Woods of *Christopher Darrel* Gentleman in *Newdigate*, in the Wild of *Surrey*.

XXIV. Stat. 27 El. 19. None shall make or set up within the Counties of *Suffex*, *Surrey* or *Kent*, any Iron-Mill, Furnace, Finary or Blomary, for the making of Iron or Iron-Metal, other than upon some old Bays or Pens, whereupon such Works have been lately standing, or else upon such Land where such Work may be continually furnished with sufficient Supply of the Party's own Woods, growing upon his own Soil, being his in Fee-simple, Fee-tail, or for Life, without Impeachment of Waste, nor shall convert to Coal or other Fuel, for the making of such Iron or Iron-Metal, any sound Timber-tree of Oak, Ash or Elm, which shall bear a Foot square at the Stub, or any Part thereof on Pain to forfeit for every such new Work set up 300 l. and for every Timber-tree so converted, 40 s. to be divided between the King and the Prosecutor.

XXV. Howbeit, the Lops and Offal of such Timber-trees may be converted to Coal for the Purposes aforesaid, within the Wilds of *Suffex*, *Surrey* and *Kent*; so as it be not within 18 Miles of *London*, 8 Miles of *Thames*, 4 Miles of *Rye* or *Winchelsey*, 3 Miles of *Hastings*, or 4 Miles of the Foot of the *Dowry*, betwixt *London* and *Pemsey* aforesaid.

XXVI. Stat. 15 Car. 2. cap. 2. Constables, Headboroughs and other Inhabitants in any County, City, or Town Corporate, &c. may apprehend whom they suspect, having or conveying any Wood, Underwood, Poles or young Trees, Bark, Bast of Trees, or any Gates, Stiles, Posts, Pails, Rails, Hedge-wood, Broom or Furze; and by Warrant from a Justice of Peace or any Officer, such Officer may search the Houses and other Places belonging to those they suspect; and where they find any, may carry Persons suspected for cutting and taking the same, before a Justice of Peace of the County, City or Town Corporate; where if they give not such Account how they came by them as doth satisfy the said Justice, or in convenient Time to be set by the Justice, produce not the Party of whom they bought the same, or some Witness to depose upon Oath at Sale, shall be deemed as convicted within the Meaning of 43 cap. 7. and be liable to the Punishment therein contained, and such other Punishment as by this Act is appointed, viz. for the first Offence they shall make such Recompence, and within the

Time as the said Justice shall appoint; and pay to the Overseers of the Poor of the Parish where the Offence was committed, such Sum not exceeding 10 s. as the aforesaid Justice shall think meet; and in Default thereof be committed to the House of Correction, for any Time not exceeding a Month, or be whipped; and for the second Offence, shall be sent to the House of Correction a Month, and be kept to hard Labour; and if convicted of a third Offence, they shall be deemed incorrigible Rogues.

XXVII. If any Justice of Peace, Mayor, Bailiff, or Head Officer, find upon Examination upon Oath, that any Person bought such Wood, &c. of one who might justly be suspected to have unlawfully come by the same, and that the same was unlawfully come by, they may award the Party that bought the same to pay treble Value to him from whom the same was unlawfully taken. And in Default of present Payment, may levy the same by Distress and Sale of Goods, and for want of such Distress may commit to Gaol at the Party's own Charge, for a Month.

XXVIII. None shall be questioned upon this Law that hath been punished for the same Offence by any former Law, nor after six Weeks after the Offence committed.

Vide the Statute of 43 *El. cap. 7.* to which this Act refers, *Title Trespasse, Sect. VII.*

XXIX. Stat. 20 *Car. 2. cap. 3.* An Act for the Increase and Preservation of Timber within the Forest of *Dean.* See the Statute at large.

Wool.

I. Stat. 18 *E. 3. Stat. 2. 3.* Every Man (as well Stranger as other) may buy Wools as they can agree with the Seller thereof.

II. Stat. Stapul. cap. 12. None shall transport Wools, Leather or Wool-fells to *Berwick*, or elsewhere into *Scotland*; neither shall any sell Wool, Wool-fells or Leather, to any *Scotchman*, or any other, to be transported into *Scotland*; upon the Pains contained in the third Article of this Statute: Which see in *Warrants.*

III. Stat. 31 *E. 3. 3.* No Wools shall be bought by Fraud to alter the Price thereof, upon grievous Forfeiture; also Balances and Weights for Wool (*viz.* of the Sack, Half-sack, and Quarter; Pound, Half-pound and Quarter) shall be sent to all the Sheriffs of *England*, according to which every Person shall make theirs without Fee or Reward; and none shall buy or sell by any other Weight, on Pain to be fined at the King's Will.

IV. Stat. 31 E. 3. 8. No Buyer of Wools shall make any other Refuse of Wools than hath been heretofore used, viz. of Cor, Gare, and Villain Fleeces; and every Sack shall contain 16 Stone, and the Stone 14 Pound, according to the Standard of the Exchequer. Also all Wools, Fells and Leather bought in the Country, shall be brought to the Staple, and there shall remain fifteen Days at least; and those that cannot be sold in that Time shall be brought to the Ports ordained for the Staple, to be transported beyond-sea, paying the due Customs and Subsidies, viz. for a Sack of Wool 50 s. for 300 Wool-fells, 50 s. and for a Lamb of Leather, 100 s.

V. No Wools vendible shall be lodged, shewed or sold within three Miles of the Staple: Howbeit, every one (but a Merchant) may lodge, shew and sell his Wools (being of his own growing in his own House, or elsewhere, at his Pleasure.

VI. Stat. 31 E. 3. 9. The Chancellor and Treasurer, with the Advice of other of the King's Council, shall have Power to defer the Transportation of Wool when they see it needful.

VII. Stat. 34 E. 3. 19. No Custom or Subsidy shall be paid for Canvas to pack Wool in.

VIII. Stat. 36 E. 3. 11. All Merchants may transport Wool without Restraint; and no Subsidy, or other Charge shall be from henceforth set or granted upon Wools, by Merchants or others, without Assent in Parliament.

IX. Stat. 38 E. 3. Stat. 1. 6. A Repeal of the Felony imposed by the Statute of the Staple, cap. 3. 27 E. 3. (which was in Merchants) for transporting of Wools, &c. by Englishmen, but the Forfeitures of Lands and Goods shall stand.

X. Stat. 43 E. 3. 1. Whereas the Staple of Wools, &c. has been holden at Calais since the first of March, Anno 37 E. 3. the Staple shall be wholly put out, and the Staple shall be holden in these Places following, viz. at Newcastle, Kingston upon Hull, St. Botolph, (alias Boston) Yarmouth, Quinborough, Westminster, Chester, Winchester, Exeter and Bristol; and the Staples of Ireland and Wales shall be kept at the Places where they were first ordained. Obsolete.

XI. Stat. 45 E. 3. 4. No Imposition or Charge shall be upon Wool, Wool-fells or Leather, (other than the Custom and Subsidy granted to the King,) without Assent of Parliament.

XII. Stat.

XII. Stat. 23 E. 3. 9. *pars inde.* None shall buy or sell Wool at more Weight than at 14 Pounds to the Stone, in Pain to forfeit double to the Party grieved, and to make Fine to the King.

XIII. None (Alien or Denizen) shall make any other Refuse of Wool, but Cor, Gare or Villain.

XIV. None shall buy Wool by these Words, *Good packing*, or the like, on Pain that the Broker shall suffer half a Year's Imprisonment, and the Buyer shall make Fine to the King, and recompence the Party grieved his double Damages; neither shall any cause Wools to be coqueted but in the Owner's Name, on Pain to forfeit the same.

XV. Stat. 2 H. 5. Stat. 2. 6. Merchandize of the Staple, viz. Wools, Fells, Leather, Lead or Tin, shall not be transported beyond-sea without the King's Licence, until they be first brought to the Staple, on Pain to forfeit the same. *Obsolete.*

XVI. Stat. 8 H. 5. 2. Every Merchant-Stranger buying Wools in *England* to convey them to the West Parts or elsewhere, and not coming to the Staple to sell them there, shall bring to the Master of the Mint for every Sack, an Ounce of Gold Bullion, and for every three Pieces of Tin, another such Ounce of Bullion, or the Value in Silver Bullion; on Pain to forfeit such Wool or Tin, or the Value thereof to the King. *Obsolete.*

XVII. Stat. 8 H. 6. 22. No Alien shall cause any Wools (which he intends to convey out of the Realm) to be forced, clacked or bearded; in Pain to forfeit the same, together with the double Value thereof, and besides to be imprisoned.

XVIII. Every Wool-packer shall make good and due Packing, and neither he nor any other shall make any inwinding within the Fleece at the rolling thereof, nor put therein any Locks, Pelt-wool, Tar, Sand, Earth, Glasse or Dirt; on Pain that the Party grieved shall have his Action of Trespass and Deceit against such Offender at the Common Law.

XIX. Stat. 14 H. 6. 5. Wools and all other Merchandize in Creeks to be transported beyond-sea shall be forfeited, whereof the King shall have one Moiety, and the Finder the other. *Obsolete.*

XX. Stat. 23 H. 8. 17. None shall wind any Fleece of Wool not sufficiently rivered or washed, nor wind therein any Clay, Lead, Stones, Sand, Tails, deceitful Locks, Cor, Calls, Comber, Lambs-wool, or any other Thing, whereby the Fleece may be more weighty, to the Deceit of the Buyer; in Pain that the

Seller of any such deceitful Wool shall forfeit for every such Fleece, 6 *d.* to be divided betwixt the King and the Finder.

XXI. This Act shall not extend to such Counties where the Inhabitants have not customably used to river or wash their Sheep before they be shorn, nor to any Persons who have used to sell their Wool by Tale or Number of the Fleeces, and not by Weighr.

XXII. Stat. 37 H. 8. 15. All Persons are restrained to buy Wools in *Norfolk*, and divers other Counties therein mentioned, except Merchants to convey them to the Staple, or others to covert them into Yarn, Hats, Girdles or Cloth. *But this Statute is now expired.*

XXIII. Stat. 1 E. 6. 6. Every Person dwelling in *Norfolk* or *Norwich* may buy Wools of *Norfolk* Growth, as well as they might have done before the Statute of 37 H. 8. 15. so as they sell or retail the same again, in some open Market or Place in *Norfolk* or *Norwich*, to some Person or Persons (dwelling also there) that will there spin the same.

XXIV. Stat. 2 & 3 P. & M. 13. Any Inhabitants of *Halifax* may buy Wools, (otherwise than by ingrossing and forestalling) so as they carry the same to *Halifax*, and there sell them to such poor People of that or other Parishes adjoining as (to their Knowledge) shall work them in Cloth or Yarn; and not to the rich Clothier, nor any other to sell again.

XXV. If the Wool-driver shall sell his Wools out of *Halifax*, or if any buy Wools in *Halifax*, to sell the same unwrought in Yarn or Cloth, every such Offender shall forfeit the double Value of the Wool so sold or uttered, whereof the King and Queen is to have the one Moiety, and the Prosecutor the other. And Justices of Peace in Sessions have Power to hear and determine these Offences.

XXVI. Stat. 12 Car. 2. cap. 32. None shall export or load on any Carriage, or lay on Board any Vessel to export out of *England*, *Wales*, Town of *Berwick*, *Jersey*, *Guernsey*, *Sark* and *Alderney* or *Ireland*, into any Places out of the Places aforesaid, any Sheep, Wool of the Growth of the said Places, Wool-fels, Mottlings or Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, or Fullers-clay, on Pain to forfeit the same, and 20 *s.* for every Sheep, and 3 *s.* for every Pound-weight of the other Goods. And the Owners of such Ships knowing such Offence, to forfeit all their Interest in the said Ships, and Masters and Mariners assisting thereto, all their Goods, and to have Imprisonment for three Months. The one Moiety of which Forfeitures to the King,

King, the other to the Informer suing in any Court of Record, or before the Justices of Assize, or General Quarter Sessions.

XXVII. They that shall transport or cause to be transported any of the Goods aforesaid, and be thereof convicted, shall be disabled to require any Debt belonging to them.

XXVIII. Offences against this Act may be determined in the County where committed, or where such Offenders are apprehended.

XXIX. The Offenders shall not be impeached, unless within a Year after the Offence committed.

XXX. Any may seize to their own Use and the King's, any of the Goods aforesaid, laid on Board, or packed, or loaded on any Carriage, or laid near any Water to be conveyed into Scotland; but such Persons shall not give Evidence against any that shall be questioned by Virtue of this Act.

XXXI. All Vessels whereof any Alien or natural-born Subject, not inhabiting in England, shall be Owner or Part-Owner, wherein any of the Goods aforesaid shall be shipped contrary to this Act, shall be forfeit to the King.

XXXII. Lamb-skins ready dressed are excepted, and Necessaries for the Ships and Persons therein.

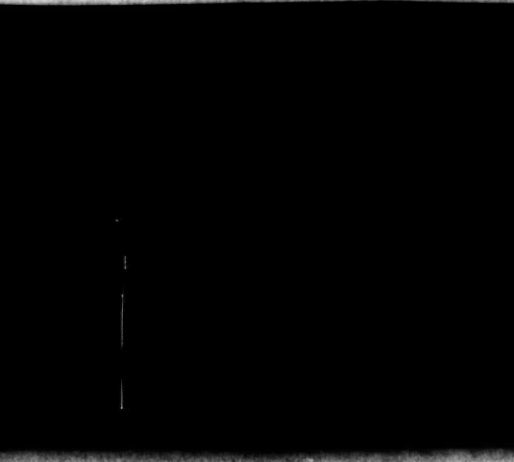
XXXIII. None of the Goods aforesaid shall be transported out of England, Wales, Town of Berwick, or Ireland, into Jersey, Guernsey, Sark or Alderney, only Wool from the Port of Southampton, for the Use of the Inhabitants of those Isles; and they that ship such Wool shall beforehand deliver to the Customer, Controller, Surveyor or Searcher of the said Port, a Writing under the Seal of the respective Governors of the said Isles, or their Deputies, purporting that such Party is authorized to export so many Numbers of Tods, and hath entred into sufficient Bond to his Majesty's Use for landing them in that Isle. The Wool so exported not to exceed these Quantities, viz. unto Jersey 2000 Tods of unembred Wool, to Guernsey 1000, to Alderney 200, to Sark 100.

XXXIV. The Customer of the Port of Southampton, shall keep an Account of the Wool so permitted to be laden, on Pain to forfeit 100 l. to him that will sue for the same, and to lose his Place. And if any of the Governors aforesaid, or his Deputies, make Licence to export more, they shall forfeit 20 l. for every Tod licensed above the Proportions aforesaid.

XXXV. No more than 12 d. shall be taken for writing such Licence, and entring a Remembrance of it, on Pain of 5 s. for every Penny taken over, to the Party grieved. *Confirmed 13 Car. 2. cap. 14.*

XXXVI. Stat. 13 & 14 Car. 2. cap. 18. If any Persons export out of England, Wales, or Town of Berwick, or Ireland, any Sheep or Wool of the Growth of the said Places, or any Wool-





Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, or Fulling-clay, or shall pack or load upon any Carriage, or lay on Board in any Vessel any such Sheep, Wool, &c. to export the same, every such Offence shall be judged Felony.

XXXVII. Owners of such Vessels, and their Horses, Carts or Carriages, upon which the Sheep, or other the Goods aforesaid shall be exported, or carried to such Intent, knowing thereof, and consenting thereunto, and also Masters and Mariners of such Vessels, wherein any Sheep or other the said Goods shall be so exported or laid on Board to any such Intent; and all other Persons whatsoever, knowing thereof, and consenting thereto, shall be adjudged Felons.

XXXVIII. Offences against this Act shall be tried and determined in the County where such Sheep and other the said Goods shall be so packed or laid on Board, or where such Offender shall be apprehended.

XXXIX. Peers of the Realm indicted for any Offence made Felony by this Act, shall be tried by their Peers.

XL. None shall be impeached for any Offence made Felony by this Act, unless within a Year after such Offence committed.

XLI. None shall press together with any Screws, Presses or other Engines, into any Sack, Bag, &c. nor shall put or press any Wool or Yarn made of Wool, into any Cask or Vessel, nor shall lay or cause to be laid near the Shore or Coasts of the Sea, or any navigable River, or into any House or Place adjoining thereunto, any such Wool, Wool-flocks, or Yarn made of Wool, to export the same, on Pain to forfeit it, or the Value.

XLII. No Tobacco-pipe-clay shall be exported out of England Town of Berwick, Ireland or Wales, under the Penalty of 3*s*. for every Pound exported contrary to this Act.

XLIII. No Packs, Bags or Casks of Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, or Fullers-earth, Fulling-clay or Tobacco-pipe-clay shall be laid on any Horse, Cart, or other Carriage, or conveyed to or from any Place in England, Town of Berwick, Wales or Ireland, but at reasonable Hours, viz. from the first of March to the 29th of September yearly, between the Hours of four in the Morning and eight in the Evening, and from the 29th Day of September to the first of March yearly, between seven in the Morning and five in the Evening, on Pain to lose all such Goods, or the Value thereof; the one Moiety of all which Forfeitures mentioned in this Act to be to the Use of the King, the other Moiety to the Prosecutor.

XLIV. This Act shall not make void any Penalties or Clauses in the Statute of 12 Car. 2. cap. 32.

XLV. Owner of any Vessel, or any Master or Mariners knowing of such Transportation, that within three Months after such

Know.

Knowledge, or after their Return to *England or Ireland*, Town of *Barwick or Wales*, shall give the first Information thereof before any of the Barons of the Exchequer of *England or Ireland*, or the Head Officer of any Port, where they shall first arrive, upon Oath of the Number and Quantity of the Goods so transported, and by whom, where, and in what Vessel, and afterwards shall be ready to prove the same, shall not be punished for Felony, but shall be subject to all other Penalties in this Act contained. And all such Transportation or conveying of the Goods aforesaid, is declared to be a common Nuisance.

XLVI. Justices of Assize, Justices of Gaol-Delivery, and Justices of the Peace in their General Quarter-Sessions, may determine the Premises. And all Mayors, and other Head Officers of Cities, Boroughs and Towns, not having Jurisdiction to try Felony, shall enquire of every Offence within this Act not made Felony.

So much of the aforesaid Act which relates to the making the said Offences Felony, is repealed by *Stat. 7 & 8 W. 3.*

XLVII. Stat. 13 & 14 Car. 2. cap. 19. An Act against importing Foreign Wool-cards, Card-wire, &c. *Vide Title Merchants and Merchandize, Sect. 94.*

XLVIII. Stat 1 W & M. Sess. 1. cap. 33. Owners of Wool, or their Agents, that shall at any Time carry, or cause to be carried, any Wool to any Port or Place on the Sea-Coasts, to be conveyed to any other Port or Place in *England, Wales or Barwick*, from whence the same may be transported into Foreign Parts, shall first cause a due Entry thereof to be made at the Port from whence it shall be intended to be conveyed, containing the Weights, Marks, and Numbers thereof, before they carry it within five Miles of any such Port or Place; or else such Wool found, and the Beasts and Carriages conveying it, shall be forfeited; and the Persons conveying, driving or abetting the same, shall forfeit and suffer as by the Laws and Statutes now in Force against the Exportation of Wool.

XLIX. The foregoing Clause shall not extend to hinder any Persons from carrying their Wool from the Place of Shearing, to their own Dwelling-house, &c. though within five Miles of the Sea, so as within ten Days after Shearing, and before they otherwise dispose of the same, they certify under their Hands, to the Officers of the Customs in the next Port, the Quantity thereof, viz. the Number of the Fleeces, and where housed, and do not remove the same, without first certifying the Officer of the next Port, under their Hands, of their Intention to remove it, three Days at least before such Removal; the said Officers to keep and register such Certificate, but Persons neglecting to certify, as aforesaid, or removing their Wool before such Certificate of their Intention, shall be liable to the Penalties of the former Clauses.

L. Cocquets

L. Cocquets for carrying Wool from any Port in *England, Wales* or *Berwick*, shall be written upon Paper, and signed by three chief Officers of such Port at least; and Certificates of landing them again at any other of the said Ports, or from *Ireland*, shall be so signed; and all such Wool, both at Shipping and Landing, shall be weighed in the Presence of the said Officers, giving such Cocquets and Certificates; and the Weight, Marks and Numbers of such Wool shipped and landed, shall be expressed in both Cocquet and Certificate.

LI. Officers not observing the Directions of this Act, shall be adjudged Abettors of the Transportation, and suffer the Penalties contained in the Statutes of the twelfth and fourteenth Years of King *Charles II.* against Transportation of Wool.

LII. No Wool shall be shipped from *Ireland*, but from *Dublin, Waterford, Toughall, Kingsale, Cork* and *Drogheda*, nor imported from thence, but into *Liverpool, Chester, Bristol, Minehead, Barnstaple, Biddiford* and *Exeter*. *Vide 4 A. cap 7.* New Ports in the County of *Wexford* added to the Ports for shipping of Wool, &c. from *Ireland*.

LIII. For the better Execution of this and other Acts against the Exportation of Wool,

Sir *Thomas Pilkinton*, Lord Mayor
of the City of *London*.

Sir *Henry Goodrick*, Bar.

Sir *Patience Ward*, Knt.

Sir *Matthew Andrews*, Knt.

Sir *Benjamin Newland*, Knt.

Sir *John Matkews*, Knt.

Sir *Peter Rich*, Knt.

Sir *Rebert Dashwood*.

Sir *William Portman*, Kt. & Bar.

Sir *Henry Ashhurst*, Bar.

Sir *William Ashhurst*, Knt.

Sir *Richard Newdigate*.

Sir *John Fleet*.

William Harbord.

John Summers.

John Sandford.

Foot Onslow.

John Pollexfen.

Richard Breit.

William Cranmore.

Edw. Mountague, Esq;

Samuel Hassel.

William Hassel, Senr.

John Parish.

John Foyer.

John Gibbon.

Barnard Carter, Gent.

Mr. Montague of Horton.

Sir *Thomas Samuel*, Bar.

William Dugdale, Esq;

John Astley of Walsy, Esq;

Sir *William Langham*.

Sir *John Poley*, Knt.

Sir *Benjamin Ayliffe*, Bar.

Sir *Robert Jefferyes*.

Sir *John Lethuellier*, Knt.

Sir *Gabriel Roberts*, Knt.

Sir *Sam. Dashwood*, Knt.

Sir *Thomas Vernon*, Knt.

Nathaniel Tench.

William Hufsey.

Thomas Cauham.

William Gore.

Hugh Strobe.

Samuel Moverell.

John Smith.

Thomas Firmin.

Arthur Moore.

William Crouch.

Thomas Heatly.

Thomas Sandys.

Will. Jolly, Esq.
 Paris Slaughter.
 Henry Cornish.
 John Devinc.
 Richard Scott.
 David Prole.
 Thomas Grandall.
 Philip Bickly.
 John Paris.
 Richard Harrison.
 John Bufffeild.
 John Haines.
 Edward Bickly.
 Nicholas Broking.
 William Sandford.
 Benjamin Ivie.
 Daniel Ivie.
 Andrew Jeffery.

Thomas Turner.
 Peter Par.
 Henry Newcomb.
 Joseph Pince.
 Matthew Ferris.
 William Spry.
 John Keefe, Sen.
 John Monkly, Jun.
 William Wrayford.
 John Toun.
 Robert Foster.
 John Lavington.
 Thomas Potter.
 Robert Burridge.
 John Upcott.
 John Smith.
 John Mudford.

or any five of them, are hereby authorized for putting this and other the said Laws in Execution, and by their Substitutes, to be appointed under the Hands and Seals of five or more of them, are to seize all Wools, Wool-fells, and other Things above-mentioned, which shall be endeavoured to be exported contrary to this Act, and to prosecute Offenders against this or any the said Laws.

LIV. Owners of Ships, Masters and Mariners, knowing of the Exportation of any Sheeps-wool, Wool-fells, Mortlings Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, or Tobacco-pipe Clay, contrary to the Meaning of this Act, that shall within three Months after their Knowledge thereof, or after their Return into England, Ireland, Wales or Berwick, give the first Information thereof, and by whom, where, and in what Vessel, upon Oath before any of the Barons of the Exchequer in England or Ireland, or any three of the Commissioners appointed by this Act, or the Head Officer of the Port where they shall first arrive, and shall be ready to justify and prove the same, shall not be subject to the Penalties of this or any other Act, for the said Offence, but shall recover and receive such Benefit and Advantages as are appointed by any precedent Act.

LV. The Powers given to the said Commissioners shall not hinder any Persons lawfully authorized from seizing Wool, or prosecuting Offenders against this or any former Act.

LVI. If any Prosecution shall be against any Person for what he shall do in Pursuance of this Act, he may file a Common Bail, or enter into a Common Appearance, and plead the General Issue, and give this Act in Evidence; and if the Plaintiff be nonsuit,

nonsuit, or discontinue, or a Verdict pass against him, or Judgment upon a Demurrer, the Defendant shall recover treble Costs.

LVII. A Register shall be kept at the Custom-house, *London*, of all Wool imported from *Ireland*, and of all Wool sent from one Port to another in this Kingdom; the Weights and Numbers, Ship, Master's Name, Owner's Name, and to whom consigned: This Act to continue for three Years, and from thence to the End of the next Session of Parliament.

LVIII. Any Persons may buy Cloth, Stuffs, Stockings, or other Woolen Manufactures, and export the same, paying the usual Customs.

LIX. Nothing in this Act shall be construed to avoid the Charters granted to the *Levant*, *Eastland*, *Russia*, or *African* Companies.

LX. It shall be lawful to transport from *Southampton* only, for the Use of the Inhabitants of *Guernsey*, *Jersey*, *Alderney* and *Sark*, one thousand Tods of unkemb'd Wool for *Guernsey*, two thousand for *Jersey*, two hundred for *Alderney*, and one hundred for *Sark*, more than by the Act made in the twelfth Year of King *Charles II.* is provided for; the same to be done according to the Directions, and under the Penalties therein appointed and inflicted; and on the farther Penalty of twenty Pounds for every Tod of Wool, and Forfeiture of the Wool it self (one half to the King, one Quarter to the Informer, and one Quarter to the Poor of the said Islands) in case of transporting or attempting to transport any of the said Wool from the said Islands, for every Offence therein; and that every Person so offending shall after the first Offence, be incapable of any Grant of any Wool from the said Port of *Southampton*, nor ever after have any Warrant granted him for that Purpose; the said Penalties to be recovered by him that will sue for the same by Action of Debt, Bill, Plaint or Information, &c.

LXI. Stat. 7 & 8 *W. 3. cap. 28.* The Act made 1 *W. & M. cap. 32.* and every Clause therein (except what is hereby altered, explained or repealed) continued.

LXII. So much of the Act of 13 & 14 *Car. cap. 18.* as relates to the making the Exportation of Wool Felony, repealed.

LXIII. Wool may be imported from *Ireland* to these Ports, *Whitehaven*, *Liverpool*, *Chester*, *Bristol*, *Bridgewater*, *Minehead*, *Barnstaple* and *Biddisford*, and none other.

LXIV. The Commissioners of the Customs in *Ireland*, shall every six Months transmit to the Commissioners of the Customs in *England*, a true Account and Particulars of all Wool exported out of *Ireland* into *England*.

LXV. All Certificates for the landing of Wool, shall be written upon Paper and not Parchment, and not obliterated or interlined.

LXVI. After

LXVI. After the first Day of May, 1696, no Wool, Wool-fells, Mortlings, Shortlings, Yarn made of Wool, Wool-flocks, Fullers-earth, or Scouring-Clay, shall be carried or conveyed by Land, to or from any Place in the Counties next adjoining to the Kingdom of Scotland, or within five Miles of the Sea-coasts, but between the Sun-rising and Sun-setting, under Penalty of Forfeiture of the said Commodities, and the Horses and Carriages employed in carrying the same; and no Ship or Vessel shall export the same to any Port beyond the Seas, under the Penalty and Forfeiture of the said Vessel, and treble the Value thereof, with treble Costs of Suit. And the Inhabitants of the Hundred or Place next adjoining to the said Kingdom of Scotland, or to the Sea-coasts, out of, or through which, any of the said Commodities shall be carried or exported, shall forfeit twenty Pounds, if the Wool so carried be under ten Pounds Value; if above, then treble the Value, and treble Costs.

LXVII. All which Forfeitures shall be recovered by him who shall sue for the same, in any Court of Record at Westminster, where no Effoin, &c. shall be allowed, nor more than one Imparlane.

LXVIII. Execution for the Informer may be had against two or more of the said Inhabitants, and after such Execution, the Justices of Peace (upon Complaint of the Party or Parties so charged) may at their Quarter-Sessions assess and tax ratably and proportionably all the Towns, Parishes, and Hamlets in the said Hundred or Place, in the same Manner and Form as an Hundred ought to be charged, in case of Robbery, by the Statute of 27 El. cap. 13. and thereby reimburse the Parties charged.

LXIX. All Persons who shall aid, abet or assist in carrying or exporting any of the said Commodities out of this Realm, (being legally convicted) shall suffer three Years Imprisonment; and the Owner of such Wool, and other Commodities aforesaid, and all that shall be aiding, abetting or assisting in carrying, or exporting any of them out of this Kingdom, shall answer and satisfy treble the Value of all such Forfeitures and Penalties, which such Inhabitants shall be charged with, and treble Costs of Suit, to be recovered in any Court of Record at Westminster, wherein no Effoin, &c. to be allowed, by, and in the Name of the Clerk of the Peace of such County (without naming his Christian or Surname) to the Use of the said Inhabitants; and notwithstanding the Death or Removal of each Clerk of the Peace, the said Suit shall not discontinue, but be prosecuted to Judgment.

LXX. Such Actions and Informations shall be tried in any of the King's Courts of Record, by a Jury of Freeholders of any other County than that where the Fact was committed.

LXXI. The

LXXI. The first three Persons who have been aiding (but not the Owners) who shall inform thereof to a Justice of Peace, shall not suffer any of the said Penalties and Forfeitures.

LXXII. If any Action or Suit be brought against any Justice of Peace, or other Person employed in the Execution of this Act, for any Thing done by Virtue of this Act, the Action shall be laid in the proper County, and the Defendant may plead the general Issue, and give the special Matter in Evidence; and if the Plaintiff shall be nonsuit, or discontinue, or the Jury find for the Defendant, he shall have treble Costs. And every Suit or Information, by Virtue of this Act, shall be commenced within one Year after the Fact committed.

LXXIII. If any Person to whom any Forfeitures by this Act are given, shall compound for the same, for less than what is hereby given, it shall be lawful for any other Person to sue for and recover the same, in Manner and Form, as aforesaid, and the Person compounding shall suffer five Years Imprisonment.

LXXIV. This Act to continue in Force for three Years, and from thence to the End of the next Session of Parliament.

LXXV. The Lord High Admiral, or Commissioners of the Admiralty, shall from Time to Time, appoint one Ship of the Fifth Rate, and two Ships of the Sixth Rate, and four armed Sloops, constantly to cruise from the North Foreland to the Isle of Wight, for the seizing all Vessels or Boats which shall export Wool, or bring any prohibited Goods or suspected Persons (corresponding with France.)

LXXVI. Stat. 9 & 10 W. 3. cap. 40. The Act made 7 & 8 W. 3. cap. 28. intituled, *An Act for the more effectual preventing the Exportation of Wool, and for encouraging the Importation of Wool from Ireland*, and every Thing therein contained, except what is hereby otherwise altered, shall continue and be in full Force.

LXXVII. After the 24th Day of June, 1698, no Fullers-earth or Scouring Clay shall be exported out of this Kingdom into Ireland, Scotland, or any other Foreign Parts, but the Exporter shall forfeit one Shilling for every Pound-weight.

LXXVIII. All Owners of Wool, shorn, housed or lodged within ten Miles of the Sea-side in Kent and Sussex, shall give an exact Account in Writing, within three Days after Sheering, of the Number of Fleeces, and where lodged or housed, to the next adjoining Port or Officer of the Customs, and the like Notice before removing thereof, and the Name and Abode of the Persons to whom disposed, and where intended to be carried; and shall take a Certificate of such Entry on Forfeiture of the Wool not entred, or otherwise disposed of, and a Penalty of three Shillings per Pound for such Wool, as if it had been actually transported; which Entries are to be made gratis, and Certificates given without Delay, specifying the Names of the Own-

ere and Buyers thereof, and limiting it to such Times and Places to be removed, taking six Pence, and no more for each Certificate.

LXXIX. No Persons residing within fifteen Miles of the Sea in Kent or *Suffex*, shall buy any Wool, before they enter into Bond to the King with Sureties, not to sell the said Wool to any Persons within fifteen Miles of the Sea; and if any Wool be carrying towards the Sea side in those Counties, unless entred, and Security given, the same shall be forfeited, and three Shillings for every Pound-weight.

LXXX. No Wool removed from the Place where it was first housed, after Sheering, within ten Miles, as aforesaid, shall be lodged after the first removing within fifteen Miles of the Sea, in these Counties, on Pain of Forfeiture, if found; but if carried away, then the Owner to forfeit three Shillings *per* Pound-weight.

LXXXI. All Persons laying or hiding any Wool, within fifteen Miles of the Sea, and not entred, such Wool shall be seized and forfeited, and the Persons claiming the same shall give Security in the Exchequer (if cast upon a Trial) to pay treble Costs, over and above the Penalties and Forfeitures.

LXXXII. If any Person be prosecuted in the Execution of this Act, he may plead the General Issue, and give the special Matter in Evidence, which if done in Pursuance of this Act, the Jury shall find for the Defendant, and in such Case, or if the Plaintiff be nonsuit or discontinue, the Defendant shall have treble Costs.

LXXXIII. All Forfeitures and Penalties in this Act, shall be one Third to the King, the other two Thirds to the Person that shall seize or sue for the same in any the Courts of Record at Westminster.

LXXXIV. The King may cause such Persons as shall be guilty of transporting any Wool, Wool-fells, Fullers-earth or Scouring-clay, to be prosecuted at any Time within three Years after the Offence committed.

LXXXV. After the said 24th Day of June, all Owners of Wool thorn, laid up or lodged, within fifteen Miles of the Borders of Scotland, shall give an exact Account of the Number of Fleeces, and where lodged, to the Persons appointed, pursuant to the Act of 1 W. & M. intituled, *An Act for the better preventing the Exportation of Wool, and encouraging the woollen Manufactures of this Kingdom*. Continued by an Act made 4 & 5 W. & M. intituled, *An Act for reviving, continuing and explaining several Laws therein mentioned, which were expired and near expiring*: Which said Act was further continued by an Act of 7 W. 3. intituled, *An Act for the more effectual preventing the Exportation of Wool, and for the encouraging the Importation of Wool from Ireland*: Which Persons shall give Attendance for that Purpose at the several Ports

Ports and Market-Towns within the aforesaid Distance; and shall make a true Entry of such Wool in a Book for that Purpose: And the Owners of such Wool neglecting or refusing to give such Account, or removing such Wool after Notice given, without Licence, shall forfeit three Shillings for every Pound-weight of such Wool. And all the Wool found within the Distance aforesaid, of the Borders of Scotland, not entred, shall be forfeited, one Third to the King, and the other two Thirds to those who shall sue for the same in any the Courts of Record at Westminster.

LXXXVI. The Hundred of *Winchelsea* in the Cinque-Ports, being divided by a navigable Arm of the Sea, shall be taken in respect of the said Act of 7 W. 3. as two distinct Hundreds, viz. the Part of the one Side of the said Arm, and that on the other, each as an entire Hundred; and the Penalties for suffering such Exportations, shall be levied on that Part of the said Hundred only, which lies on the same Side of the said Arm, out of which such Exportation was made and permitted; but the said Hundred shall not be divided in any other Particular, but in this only.

LXXXVIII. Stat. 10 & 11 W. 3. cap. 10. After the 24th Day of June, 1699, None shall export or convey out of Ireland, into any Foreign Parts, other than into England or Wales, any Wool, Wool-fells, Shortlings, Mortlings, Wool-flocks, Worsted, Bay or Woolen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Drapery-Stuffs, or woolen Manufactures whatsoever, made up or mixed up with Wool or Wool-flocks, or load any such Wool, &c. in any Place of Ireland, with Intent to export or convey the same out of Ireland into any Ports or Places, (except as aforesaid.)

LXXXVIII. All Offenders and Offences aforesaid shall be liable to the following Penalties, viz. the said Wool, &c. so exported, conveyed or loaden, shall be forfeited, and the Offender shall forfeit five hundred Pounds for every such Offence: And every Ship and Vessel, wherein any of the said Commodities shall be so laid on Board, shall be forfeited with all her Tackle and Furniture: And the Masters and Mariners thereof, or any Posters, Carriers, Waggoners, Boatmen, or others, wittingly aiding or assisting therein, shall forfeit forty Pounds, one Moiety to the Prosecutor in England or Ireland, and the other to the Encouragement of the Linen Manufactures in Ireland, to be disposed of by the Court of Exchequer there for that Use only.

LXXXIX. No Acquittal, nor any Indictment, Information or Suit (unless the Offender be thereupon convicted) in Ireland, for any the said Offences, shall be pleaded or allowed in Bar or Delay of any Indictment, Information, or Prosecution in England.

Xc. Any Persons may seize and carry to the King's next Ware-house all such Wool, &c. as shall be laid on Board any Vessel, or laid on Shore at or near the Sea, or any navigable River; or shall otherwise be laden with Intent to be exported, or conveyed out of *Ireland* into any Foreign Parts, and the Ship or Vessel wherein any of the said Commodities shall be put on Board, may be also seized: And the Persons seizing shall be indemnified for so doing.

XCI. For every Ship or Vessel, which after the 24th Day of June, shall sail from *Ireland*, with any of the said Commodities to this Kingdom, sufficient Bond shall be given to the chief Officers of the Customs there, in double the Value of the Goods intended to be transported, before the lading thereof, that all the said Goods shall be brought by the said Ship or Vessel to some Port in *England* or *Wales*, and there unladed, and the Customs paid; and if laden before such Bond given, the Ship or Vessel to be forfeited.

XCII. A Register shall be kept at the Custom-house, *London*, of all the said Goods imported from *Ireland* into *England* or *Wales*, with the Qualities and Quantities thereof, the Masters and Owners Names, and to whom consigned.

XCIII. All Cockets and Warrants for transporting any such Goods from *Ireland*, to this Kingdom, and all Certificates of landing the same, shall be written on Paper and not Parchment, and signed by three of the chief Officers of such Port where loaded and landed; and all such Goods shall be examined by the respective Surveyors, Searchers or Land-Waiters: And the Quantities, Qualities, Marks and Numbers of the said Goods, shall be endorsed on the Cocket for shipping, on the Warrant for landing, and on the Certificate for discharging the Bond.

XCIV. The Commissioners of the Revenue, or Farmers of the Customs in *Ireland*, shall once in every six Months transmit to the Commissioners of the Customs in *England*, an Account of all such Goods exported from *Ireland*, and Duplicates of the Bonds, in what Ships exported, and to what Ports consigned, and who signed the Certificates of landing the same, and when, in order to be compared with the Register.

XCV. The Quantities, Qualities, Marks and Numbers in the Certificate shall not be obliterated or interlined.

XCVI. All such Goods so exported shall be shipped off, and landed only at *Dublin*, *Waterford*, *Toughall*, *Kingsale*, *Cork* and *Wexford* in *Ireland*, and imported only at *Biddisford*, *Barnstaple*, *Wimborhead*, *Bridgewater*, *Bristol*, *Milford-Haven*, *Chester* and *Liverpool*.

XCVII. If any Commissioner or Farmer of the Revenue in *Ireland*, or their Officers, shall, after the 24th Day of June, take any Entry outward, or sign any Cocket or Warrant for exporting any such Goods into Foreign Parts, or connive at the same, or

neglect their Duties required by this Act, he shall forfeit his Office, and five hundred Pounds for every such Offence.

XCVIII. Every Offence contrary to this Act may be tried where such Goods shall be put on Board, or in the County in *England* or *Ireland*, where the Offender shall be apprehended, or the Ships or Vessels seized.

XCIX. If any Person be prosecuted for what he shall do in Pursuance of this Act, he may plead the General Issue, and give this Act and the Special Matter in Evidence, and if the Plaintiff be nonsuit or discontinue, or a Verdict or Judgment pass against him, the Defendant shall have treble Costs and Damages.

C. After the 24th Day of *June*, it shall be lawful to import from *Dublin*, *Waterford*, *Toughall*, *Kingsale*, *Cork* and *Drogheda* in *Ireland*, any Wool, Wool-fels, Shortlings, Mortlings, Wool-flocks, Worsted, Bay or Woolen-Yarn, Cloth-Serges, Bays, Kerseys, Frizes, Druggets, Shalloons, Stuffs, or any other Drapery, made or mixed with Wool or Wool-flocks, or manufactured in *Ireland*, into such Ports of this Kingdom, as aforesaid, Notice being first given to the Commissioners of the Customs, or the chief Customer or Collector in the Port where the same are to be brought, of the Quantity, Quality, and other Circumstances thereof, and a Bond in treble the Value of the Goods for landing the same accordingly, and a Licence taken for landing thereof.

CI. The Penalties and Forfeitures of the Bonds for any Wool, &c. so exported, shall not be assigned over to any other Person.

CII. The Lord High Admiral of *England*, or Commissioners of the Admiralty, shall appoint two Fifth Rate and two Sixth Rate Ships, and eight armed Sloops, to cruize on the Coasts of *England* and *Ireland*, and between the North of *Ireland* and *Scotland*, to seize all Ships and Vessels, exporting Wool to Foreign Parts, and shall send a List of such Ships and Sloops, and their Commanders Names, and Copies of their Instructions, to the Commissioners of the Customs in *London*, within ten Days after such Orders given.

CIII. All Wool, Ships and Vessels so seized, shall be forfeited and the Wool lodged in the King's Warehouse till condemned, and then sold after twenty-one Days publick Notice at the Custom-house, and on the *Royal Exchange* in *London*, by Inch of Candle, with the Guns, Tackle, &c. of such Ships and Vessels whereof one fourth Part to be to the Commander, another to the Officers who took the same, another to the Mariners, the other to the King, the Charges of Prosecution being deducted out of the King's Part.

CIV. Every Commander of such Ship, &c. neglecting his Duty, or conniving at the Exportation of any Wool, shall lose his Wages, and suffer six Months Imprisonment, and be incapable of any Office in the Navy

CV. After

CX. After the first Day of *December*, 1699, no Wool, Wool-fels, Yarn, Cloth, or woollen Manufactures of the *English* Plantations in *America*, shall be shipped in any of the said *English* Plantations, or otherwise loaden, in order to be transported thence to any Place whatsoever, under the same Penalties and Foe-seitures: And the Governors of the Plantations, and Officers of the Customs and Revenues there, are to see this Act, as it relates to the Plantations, duly executed.

CVI. All Offenders against this Act or any other, for preventing the Exportation of Wool, may after the 24th Day of *June*, be prosecuted in any the Courts at *Westminster*, by *Capias* in the first Process; and shall give good Bail for their Appearance, and answering the Penalties in case of Conviction.

CVII. After the 29th Day of *September*, 1699, the Lords Justices of *Ireland* are to give Direction in Council, That this Act be given in Charge by the Judges in *Ireland*, at all the Assizes there; which Judges are to take particular Accounts in their Circuits of the due Execution thereof, and acquaint the Lords Justices therewith, who shall once every Year lay an Account thereof before the King in Council.

CVIII. Stat. 4 A. cap. 7. An Act for making the Town of *New Ross* in the Kingdom of *Ireland*, a Port for the exporting Wool from *Ireland* to this Kingdom. *Vide ante S. E. 52, and S. E. 96.*

Woollen Cloth.

I. Stat. 10 A. cap. 16. After the 24th of *June*, 1712, all Mixture or Medley Broad Cloth shall be measured at the Fulling-mill, after 'tis mill'd, scowred and thoroughly wet by the Master or Occupier of the Mill; who must make Oath before some neighbouring Justice, that he will truly perform such Measuring; and the Justice must give him a Certificate that he hath made such Oath; and that the Fuller shall fix a leaden Seal at the Head of every Cloth before it shall be carried from the Mill, which Seal the Owner of the Cloth must provide; and the Fuller shall rivet the Seal on the Cloth, and stamp his Name on it, mentioning in Figures the Length and Breadth thereof, the Owner of the Cloth paying him a Penny. And the Length and Number of Yards so stamped on the Seal, shall be a Rule of Payment by the Buyer of the Cloth. Proviso, That if after the Cloth hath been milled, sealed and stamped, any Part shall by Accident be damaged, and taken off, the remaining Part shall be again measured, sealed and stamped.

II. Fuller refusing or neglecting to fix the Seal, or any Person taking off, defacing, counterfeiting or altering the Figure before the Cloth is sold, and if the Buyer shall refuse to accept the same

according to the Measures hereby directed, the Person so offending, and convicted thereof by the Oath of one Witness, shall forfeit the Sum of twenty Shillings for every such Cloth.

III. No Clothier or Cloth-worker shall, after any Medley Broad-cloth is fully wet, sealed and stamped, stretch the same above one Yard in twenty Yards Length, or above one Nail of a Yard in the Breadth; the Offender being convicted before the Cloth is sold, or exposed to Sale, shall for every Offence forfeit twenty Shillings.

IV. After the 24th of June, 1711, every Mill-man and Fuller shall have in his Mill a Table twelve Foot long, and three Foot wide, whereon the Cloth shall be doubled, and laid plain, with the Length of a Yard nailed thereon, to which shall be added one Inch; so that the same Length shall contain thirty-seven Inches. Person neglecting to keep such Table forfeits ten Pounds.

V. Stock of Medley Cloth in Hand before the 24th of June, and unfold, any Clothier may throw it into the Water to shrink, in order to have it measured and sealed.

VI. After the 24th of June every Person concerned in the woollen Manufacture, shall pay those Workmen they employ therein in Money, and not in Goods, under the Penalty of twenty Shillings for every Offence.

VII. Offences against this Statute shall be heard and determined by one Justice of Peace, upon the Oath of one Witness, so as the Justice of Peace is not concerned in the Matter of the Complaint; and one Moiety of the Forfeitures shall be to the Informer, and the other to the Poor of the Parish where the Offence is committed. The Offender neglecting or refusing to pay the Forfeitures by the Space of fourteen Days after Conviction, then, and not before, the Justice of Peace, before whom he was convicted, may issue his Warrant to the Constable, to levy the same by Distress and Sale of his Goods; and if no such Distress can be had, then to commit him to the Gaol or House of Correction, there to be kept to hard Labour for such Time as the Justice shall think fit, not exceeding three Months for one Offence.

VIII. Proviso, That the Prosecution be within thirty Days next after the Offence done or discovered.

IX. Person aggrieved by the Warrant or Order of the Justice may appeal to the next Quarter-Sessions, giving sufficient Notice of such Appeal. And if the Sessions shall vacate or confirm the Order or Warrant, they may allow Costs to the Party aggrieved.

X. Any Person sued for any Thing done in Execution of this Act, may plead the General Issue, and give this Act, and any Special Matter in Evidence; and if he recover, shall have reasonable Costs. This Act shall be a publick Act.

XI. Pro

XI. Proviso, It shall not extend to any Cloth made or manufactured in the County of York, nor to invalidate any of the Powers contained in an Act 7 Anne, intituled, *An Act for the better ascertaining the Lengths and Breadths of woollen Cloth made in York.* (Which see in Title *York County.*)

XII. Stat. 9 A. cap. 30. The Statute made 1 Anne, cap. 18. against Persons employed in the Woollen and Iron Trades imbezilling Materials, &c. made perpetual. See *ante*, Title *Trade and Commerce*, 363.

Women, Widows, Wives and Maids.

I. Magna Charta, 7. 9 H. 3. A Widow immediately after her Husband's Death shall have her Marriage and Inheritance, and shall give nothing for her Dower, Marriage or Inheritance, which her Husband and she held at the Day of his Death.

II. Also she shall remain in the chief House of her Husband forty Days after his Death, if the House be not a Castle; within which forty Days her Dower shall be assigned her, if it were not assigned her before.

III. If the House be a Castle, and she depart from thence, then shall a convenient House be forthwith provided for her, where she may conveniently dwell until her Dower be assigned, and in the mean Time she shall have reasonable Estovers of the Common: And for her Dower shall be assigned unto her the third Part of all the Land which was her Husband's in his Lifetime, unless she were before endowed of less at the Church-door.

IV. No Widow shall be constrained to marry herself, while she will live without a Husband: Howbeit, she shall find Surety that she shall not marry without the King's Licence and Assent, if she hold of the King, nor without the Assent of the Lord, in case she hold of another.

V. Dierog. Regis. 4. 17 E. 2. The King shall assign Dower to the Widows of his Tenants in chief, albeit the Heir be at Age, (if the Widows will :) And such Widows before the Assignment of their Dower shall swear, that they will not marry themselves without the King's Licence, whether the Heirs be of full Age or not.

VI. If they marry without Licence, the King shall seize (by way of Distress) the Land they held of him in Dower, until he be satisfied at his own Will, so that they shall take nothing of the Issues thereof: For by such Distresses they and their Husbands must fine at his Will, which in the Time of H. 3. was estimated one Year's Value of her Dower.

VII. Women that hold any Inheritance of the King in chie (of what Age so ever they be) shall likewise swear not to marry without the King's Licence: And if they do, their Lands shall be seized, as aforesaid, until the King be satisfied at his Will.

VIII. Stat. 31 H. 6. 9. Where any Person or Persons take Women by Force, or otherwise (by Perswasion) get them into their Possession, and when they so have them, will not suffer them to go at large, until they have bound themselves by Obligations of Statute-Merchant in great Sums of Money to them or others to their Use, and many Times compel them to be married against their Likings, and levy such Sums upon their Lands: In these Cases the Obligor shall have a Writ out of the Chancery, containing the Matter of such evil Usage, directed to the Sheriff of the County where such Offence is committed, to make Proclamation in full County, and also in the next County-Court after the Receipt of the Writ, that the Offender shall appear at a certain Day prefixed in the Writ before the Lord Chancellor, or otherwise before the Justices of the Assize in the County where the Offence is done, or else before some other Person thereunto assigned by the Lord Chancellor; at which Day if the Offender appear, the said Chancellor, Justices, or other Person shall duly examine the Parties upon the Premises: And if it be found that the Obligations were so made, they shall be void, as also all the Proceedings thereupon.

IX. Here if the Sheriff be remiss in the Execution of such a Writ, he shall forfeit 300 l. to be divided betwixt the King and the Party that purchased the same Writ.

X. Stat. 4 & 5 P. & M. 8. None shall take or convey, or cause to be taken or conveyed away any Maid or Woman Child unmarried, being within the Age of 16 Years, out of the Custody, and against the Will of the Father or Mother of such Child, or of the Person to whom the Father of such Child (by his last Will or other Act in his Life-time) hath appointed the Government of such Child, (except such taking shall be by or for such Person as (without Fraud) is Master or Mistress of such Child, or his Guardian in Socage or Chivalry) on Pain of two Year's Imprisonment without Bail, or else to pay such Fine as shall be assessed by the Queen's Council in the Star-Chamber.

XI. None shall take away and deflower any such Child, or against the Will of her Father, if he be living, or of her Mother, (having the Custody of her, if the Father be dead) contracted Matrimony with any such Child, (except by the Title of Wardship) on Pain to suffer five Years Imprisonment, or else to pay such Fine as shall be assessed by the said Council in the Star-Chamber.

XII. Th

XII. The said Fines shall be divided between the King and the Queen's Majesties, and the Party grieved.

XIII. The said Council of the Star-Chamber and Justices of Assize have Power to hear and determine these Offences.

XIV. If any such Child, above the Age of twelve Years, and under the Age of sixteen Years, do consent to any such Contract of Matrimony, the next of the Kin, to whom her Inheritance should come, shall enjoy it during her Life: But after her Decease it shall revert to the Inheritor, other than to him that did so contract Matrimony.

XV. Provided, That this Act shall not be prejudicial to any Custom or Authority concerning Orphans in London, or any other City, Borough or Town.

Worsted.

I. Stat. 17 R. 2. 3. Merchants and Workers of Cloths, called Single Worsted, may transport Bolts thereof whither they please, (except to the King's Enemies) paying the Customs and Subsidies due for the same, without paying the Customs of *Calais*; so as under Colour thereof they transport no double Worsted, half-double Worsted, Worsted-ray or motley, on Pain to forfeit the same.

II. Stat. 7 E. 4. 1. The Worsted Weavers in *Norwich* shall yearly upon Monday after *Pentecost*, chuse four of the same Craft to be their Wardens for that City: And likewise those of the County of *Norfolk*, shall also chuse four of the same Craft there to be their Wardens for the said County, which Wardens shall take their Oaths before the Mayor of *Norwich*, and the Steward of the Duchy of *Lancaster*, if the Steward be then resident in the said County; otherwise before the Mayor alone.

III. The said Wardens have Power, for the Year next ensuing, to survey the Workmanship of the Artificers of that Craft, whether or no they work well, and make their Work of good Stuff, and likewise to make Ordinances for the Amendment of the said Worsted and Craft: All which Ordinances shall be obeyed and kept by the said Artificers, on Pain to be punished by four of the said Wardens either in City or County respectively, (calling to them six other Artificers) at the Discretion of the said Mayor and Steward, or one of them.

IV. Also the Lengths and Breadths of Pieces of Worsted are here set down: For which see the Statute at large.

V. No Lambs Wool shall be put in Worsted: And the said Wardens have Power to seize all such Cloths and Stuffs, being defective.

VI. The Mayor and Steward aforesaid have Power to hear and determine all Offences committed against the said Ordinances, and at convenient Times to call together the 82 Artificers to be sworn, to make Search of the Stuff and Work wrought and made by the said Wardens; and if they be found defective, either in their Office or Work, to punish them as other Artificers.

VII. The Wardens have also Power to make such Search in the Counties of *Suffolk* and *Cambridge*, as well as in *Norwich* and *Norfolk*.

VIII. Defective Worstedes shall be forfeit; viz. (in *Norfolk*) the one half thereof to the Mayor there, or (in Corporations, or other Places) to the Chief Officers or Lord of the Manor, and the other half to the said Wardens. And Worsted-weavers shall set their proper Marks woven upon their Stuffs, on Pain to forfeit them to the King.

IX. The said eight Wardens shall yearly, upon Monday next after *Conpus Christi*, assign one, two, or more Places in *Norwich*, and as many in *Norfolk*, and certain Days by the Week, to the End that the Worstedes to be put to Sale that Year may be brought before the said Wardens to be searched. And if they find them well made, they shall set a Mark thereupon without Fee, that the Buyer may know which are well searched, wrought and made of good Stuff: But if they shall find them defective, the said Mayor and Steward, or one of them, shall impose such Correction for such Default, as to them shall seem meet. And the Price of every Piece of Worsted sold, not marked, shall be forfeited by the first Seller thereof.

X. All Mayors, Bailiffs, and other Officers, shall be aiding and assistant to the said Wardens in their Search, as often as they shall be required by the said Wardens, or any of them, so to do.

XI. Stat. 11 H. 7. 11. Citizens of *Norwich* may take to Apprentice the Son or Daughter of any Person.

XII. Stat. 5 H. 8. 4. None shall dry-calender any Worstedes, on Pain to forfeit for every Piece 5 *l.* neither shall any wet-calender any Worstedes, unless he has served seven Years as an Apprentice in that Trade, and be approved by the Mayor of *Norwich*, and the two Masters of that Craft in *Norwich* or *Norfolk*, upon the like Pain of 5 *l.* for every Piece calendred contrary to this Act. Which said Forfeitures shall be divided between the King and the said Masters of the Craft of wet-calendring.

XIII. Stat. 14 & 15 H. 8. 3: A long Statute for Worsted-weavers in *Tarmouth* and *Lynn*: The Election, Oath and Authority of a Warden for *Tarmouth*. Every Person shall make his

Worstedes,

Worstedes, Says, &c. with his several Marks: The Election, Oath and Authority of a Warden for *Lynn*: Every Worsted-weaver in *Lynn* shall be an *Englishman* born, and shall have his proper Mark: A Warden of *Norwich* or *Norfolk* shall come to *Lynn*, when there is no Warden there, and shall have his Allowance by the Day of his Charge in coming thither: What Names or Additions the Parties grieved shall use in their Actions, whereupon the particular Bodies of the Wardens or Inhabitants may be put in Execution: Cloths marked by Wardens of *Lynn* or *Yarmouth* may be lawfully put to Sale: What Apprentices Worsted-weavers in *Lynn* and *Yarmouth* may take. This Statute shall not be prejudicial to the Mayor of *Norwich*, or the Wardens there. None shall sheer, dye or calender any Worstedes, Says, &c. save only in *Norwich*: Neither shall any such Stuffs be transported before they be shorn, dyed and calendred. See the Statute at large.

XIV. Stat. 25 H. 8. 5. The Statute of 5 H. 8. 4. is made perpetual, and none that dyeth Worstedes, Stamens or Says, shall use to calender them, on Pain to forfeit for every Piece 40 s. to be divided into three Parts, whereof the King is to have one, the Mayor of *Norwich* another, and the Prosecutor a third.

XV. Stat. 13 & 14 Car. 2. cap. 5. For regulating the making of *Norwich* Stuffs in *Norwich* and *Norfolk*, there shall be twelve Wardens and thirty Assistants, all Master-Weavers in *Norwich* and *Norfolk*; half of each shall be chosen yearly the next Monday after *Pentecost*, by the Master-Weavers, or greater Part of them present, of the City of *Norwich*,* the other half upon the same Day by the Master-Weavers, or greater Part present, of the County of *Norfolk*; which Wardens within fourteen Days after Notice of their Election, shall take this Oath before the Mayor of the City or his Deputy, and the Under-Steward of the Duchy of *Lancaster* within the said County, if present, viz.

I A. B. do swear, That I will well, faithfully and honestly perform and discharge the Office of a Warden of the said Trade of Worsted-weavers, according to the best of my Skill, Power and Knowledge.

And the Assistants accordingly for the Execution of that Office of an Assistant. If any Warden refuse to swear, or die before the End of his Year, the Master-Weavers may chuse others.

XVI. The said Wardens and Assistants, or thirteen of them, whereof seven to be Wardens, may meet and consult as often as they think fit, or when it shall be desired by eight of the Assistants, and make Ordinances for the Regulation of the said Stuffs, and make Seals for sealing them, (which Ordinances confirmed by the Mayor and two Justices of the Peace of the City, and three others of the County, whereof one to be of the

Quorum, shall be published four Times a Year, at four Assemblies for the said Trade) and may impose Fines for not conforming to such Ordinances, not exceeding 10 s. for one Offence.

XVII. The Wardens, &c. of the City shall give personal Notice to them of the County, or two of them, when they intend to meet, &c. and set it upon the Door of their Sealing Hall fourteen Days before.

XVIII. Worsted Yarns and other Yarns used by Worsted-weavers, shall be reeled on a Reel of a Yard about, every Reel-staff shall contain 14 Leas, every Lea 40 Threads, 12 Reel-staffs shall make a Dozen, and 12 Dozen a Gross. They that sell or expose to Sale the said Yarns made or reeled otherwise, shall forfeit half the Value to the Use of the Trade, Charges of Suit deducted.

XIX. The Wardens and Assistants, or two of them, may search in publick Places of Sale, and seize defective Yarns, and bring them within twenty Days to a Trial by Jury, which Jury may set Fines on the Yarns, not exceeding half their Value, to go to the Poor of the Trade. No Person shall be punished by this and the former Clause for the same Offence.

XX. All Stuffs in which there is Wool in *Norwich* and *Norfolk*, shall be under the Regulation of the said Warden and Assistants, except such as are under the Regulation of the Wardens and Fellowship of the Mystery of Russel Sattens, Sattens Reverses, and Fustians of *Norwich* making within *Norwich*. All Stuffs under the said Regulation, before they are offered to Sale, shall be brought to *Weavers-Hall* in *Norwich*, to be searched by the Wardens, or two of them, and if found according to the Ordinances of the Trade, shall be sealed and allowed without paying any Thing; if defective, shall be seized and tried by a Jury of twelve Artificers, (six of the City, and six of the County) to be impanelled by Precept under Hand and Seal of the Mayor or his Deputy, (the Number, in case of Failure, to be made up of the Master-Weavers of either Place by Precept from the Mayor) who may set a Fine not exceeding the Moiety of the Value; the Fines to go to the Use of the Trade, and the Stuffs to be detained till the Fines be paid; and for Want of Payment in forty Days after Trial, to be sold, rendring the Overplus upon Demand.

XXI. If any Warden seal Stuffs that shall afterwards be found defective by a Jury of twelve Artificers, to be impanelled before the Mayor or his Deputy, and the Steward of the Duchy of *Lancaster*, if present, of which six to be of the City, and six of the County; the said Jury may set Fines not exceeding 40 s. for every Stuff upon such Warden. And such Jury may enquire into the Miscarriages of the Wardens and Assistants, and punish them, as they do others; But the Wardens and Assistants shall have double Damages for any unjust Molestation.

XXII. None

XXII. None shall buy Stuffs unsealed, and they in whose Possession any Stuffs unsealed are found, except the first Owner or Maker, shall forfeit for every Piece 4 s. and the Maker or Seller, that shall deliver them unsealed, other 4 s. for the Use of the Poor of the Trade.

XXIII. Persons convicted, by Confession or Oaths of two Witnesses, before the Mayor or his Deputy, or any Justice of Peace of the City or County, of counterfeiting the said Seal, or sealing Stuff with a counterfeit Seal, or removing the Seal from one Piece to another, shall forfeit 20 l.

XXIV. They that use the said Trade, not having served as Apprentices seven Years, shall forfeit 40 s. for every Month, half to the King, and half to the Prosecutor.

XXV. Every Person shall forfeit 3 s. to the Poor of the Trade for every Piece by him woven without his proper Mark at the Head-end of it.

XXVI. The Wardens and Assistants, or two of them, may search the Houses, &c. of any dealing in the said Stuffs, and of Dyers, Sheermen, Calenders, or other Workmen, and seize defective Stuffs, and bring them to Trial as aforesaid.

XXVII. They that employ two Apprentices in the said Trade, shall likewise employ two Journeymen: No Master-Weaver shall set on work above two Apprentices, or any Week-boy in a Loom, on Pain to forfeit 5 l. for every Month.

XXVIII. Persons convicted by Oath of one Witness before the Mayor or his Deputy, or any Justice of Peace of the City or County, of hindring the Wardens or Assistants to execute their Office, shall forfeit 40 s.

XXIX. If any summoned to appear on any Jury or Trial, refuse, they shall forfeit 5 s. to the Poor of the Trade. All Penalties and Forfeitures appointed to the Poor by this Act, the Recovery whereof is not already set forth, shall be levied by Distress and Sale of Goods, by Warrant from the Mayor or his Deputy, or any Justice of Peace of the City or County, or otherwise be recovered by Action of Debt, Bill, Plaint, Indictment or Information, in any Court of Record.

XXX. Every Weaver that shall set any Loom on work from the 15th of August to the 15th of September yearly, shall forfeit 40 s. for every Loom used within that Time.

XXXI. The Wardens shall make a true Account at the four Assemblies to be held quarterly before the Mayor of the City, and one Justice of Peace of the City, and two of the County, of all Fines and Forfeitures received, and of all Disbursements, touching the said Trade. What remains shall be divided, the one half to be disposed by the Wardens and Assistants of the City, the other by those of the County, for the Poor of the Trade, as the Mayor and Justices shall direct.

XXXII. The

XXXII. The Weaver of *Great Tarmouth* and *Lynn*, shall not be compelled to bring their Wares to *Norwich* to be sealed, and shall retain such Liberties and Privileges as are granted to them by any Act of Parliament or Charter.

Wreck.

I. *Westm.* 1. 4. 3 E. 1. Where a Man, Dog or Cat escape alive out of the Ship, neither the Ship or other Vessel, nor any Thing therein, shall be adjudged Wreck; but the Goods shall be saved and kept by the Sheriff, Coroners, or the King's Bailiffs, and delivered to the Inhabitants of the Town where the Goods were found; so that if any within a Year and a Day sue for those Goods, and after prove that they were his at the Time of the Shipwreck, they shall be restored to him without Delay: But if not, they shall be seized by the said Sheriff, Coroners or Bailiffs, for the King's Use, and shall be delivered to the Inhabitants of the Town, who shall answer before the Justices for the Wreck belonging to the King.

II. Also where the Wreck belongeth to another, he shall have it in like Manner: And if any be attainted to have done otherwise, he shall suffer Imprisonment, make Fine to the King, and yield Damages also.

III. If a Bailiff do it, and it be disallowed by his Lord, the Bailiff shall answer for it, if he have whereof; but if not, the Lord shall deliver his Bailiff's Body to the King.

IV. *Prerog. Reg.* 11. 17 E. 3. The King shall have Wreck of the Sea, Whales and great Sturgeons taken in the Sea, and elsewhere throughout the whole Realm, except in Places privileged by the King.

V. *Stat.* 12 A. *Sess.* 2. cap. 18. Enacted, That the Sheriffs and Justices of Peace of every County, or County of a City or Town, and all Mayors, Bailiffs, and other Head Officers of Corporations and Port-Towns near adjoining to the Sea, and all Constables, Headboroughs, Tithing-men, and Officers of the Customs, in all such Places, upon Application to them made on Behalf of any Commander of a Ship in Danger of being stranded or run on Shore, or being stranded and run on Shore, shall command the Constables nearest the Sea-Coast where such Ship shall be in Danger, to call together as many Men as shall be necessary, to the Assistance and for the Preservation of such Ship. And if there shall be any Ships of War, or other Ship lying at Anchor near the Place, then the Officers of the Customs and Constables, &c. are to require the Assistance of the superior Officers, by their Boats, and as many Hands as they can spare. And such Officer on Refusal or Neglect to assist shall forfeit an hundred

hundred Pounds, to be recovered by the superior Officer of the Ship in Distress, with Costs of Suit.

VI. The Collectors of the Customs, and Officers of any Ships, and all others who shall act in the preserving any Ship in Distress, or the Cargoes thereof, shall within thirty Days after be paid a reasonable Reward for the same by the Officer or Merchant; and in Default thereof the Ship or Goods so saved shall remain in the Custody of the Officers of the Customs until paid. And if any Difference arise about the Salvage, three Justices shall adjust the *Quantum* to be paid to the Persons acting therein, which shall be binding to all Parties, and recoverable in an Action at Law. And all Goods not claimed in twelve Months shall be sold, the Justices taking an Account thereof in Writing, signed by the Officers of the Customs, and put into his or some other safe Hands; and if perishable Goods, forthwith to be sold; and after Charges deducted, the Moneys arising by such Sale shall be transmitted into the Exchequer, with a fair Account of the whole, for the Benefit of the Owner, who, on Proof of his Property before one of the Barons of the Exchequer, shall upon his Order receive the same.

VII. All Persons entering into such Ships in Distress without Leave from the Commander, Constable, Headborough, &c. or molesting any one in saving the Ships or Goods, or when saved shall deface the Marks of the Goods before the same shall be taken down in a Book provided for that Purpose by the Commander or ruling Officer, and the first Officer of the Customs, such Person shall within twenty Days make double Satisfaction to the Party grieved, at the Discretion of the two next Justices of Peace; or in Default thereof shall by such Justices be sent to the House of Correction, and there kept to hard Labour for twelve Months. And the Masters, Constables, &c. may by Force repel such Persons who shall press on Board the said Ship in Distress, without any Leave.

VIII. Any Goods carried off from such Ship, and found on any Person, shall on Demand be delivered to the Owner, or the Person shall be liable to pay treble the Value of such Goods, to be recovered by the Owner in an Action at Law.

IX. Any Person making Holes in the Bottom, Side, or in any Part of the Ship, or stealing any Pump, or doing any Thing tending to the Loss of the Ship, shall be guilty of Felony without Benefit of Clergy.

X. Persons sued for any Thing by them done in Pursuance of this Act may plead the General Issue, and give this Act in Evidence; and if the Defendant recover, he shall have full Costs. This Act shall be allowed in all Courts as a publick Act.

XI. If any Officer of the Customs, or his Deputy, abuse the Trust reposed in him, and shall be convicted thereof, he shall forfeit

forfeit treble Damages to the Party grieved, to be recovered by Action of Debt in a Court of Record, and be incapable of any Employment in the Customs.

XII. This Act shall commence from the first of *August*, 1714, and shall be read four Times in the Year in all the Parish-Churches and Chapels in Sea-port Towns, on the Sundays next before *Michaelmas*, *Christmas*, *Lady-Day*, and *Midsummer-Day*, after the Prayers, and before the Sermon.

XIII. This Act shall not extend to deprive the Crown, or any Grantee, of any Right or Claim to any Wreck or Goods that shall be *Jetsam*, *Flotsam*, or *Lagan*.

It shall continue in Force for three Years; and from thence to the End of the next Session of Parliament.

Writs, and Abatements of Writs.

I. *Westm. 2. 24. 13 E. 1. pars inde.* Where in the Chancery in one Case a Writ is found, and in another Case, falling under like Law, and requiring like Remedy, there is found none, the Clerks of the Chancery shall agree in making the Writ, or the Plaintiffs may adjourn it until the next Parliament; and then the Cases being written in which they cannot agree, let them refer themselves to the next Parliament, where (by the Consent of Men learned in the Law) a Writ shall be framed; lest the King's Court should fail to administer Justice to the Complainants.

II. *Westm. 2. 49. 13 E. 1. pars inde.* Where the Law faileth, lest Suitors shoud depart from the King's Court without Remedy, Writs shall be provided in their Cases.

III. *Stat. 6 R. 2. Stat. 1, 2.* If in Writs of Debt, Account, and the like, it shall be declared, that the Contract thereof was made in another County than is contained in the original Writ, such Writ shall be abated. *Vide Title Arrest, Num. 4.*

Parmouth, See Havens.

I. *Stat. 1 Jac. 2. cap. 16.* For fourteen Years, and to the End of the next Session of Parliament, from the 24th of July next ensuing, there shall be paid by every Master of any Vessel, unloading in the Haven of *Great Tarmouth*, or in *Tarmouth Road*, at the Time of unloading, for every Chaldron of Coals (*Winchester Measure*) Last of Wheat, Rye, Barley, Malt, and other Grain; and for every Weigh of Salt, and every Ton of other Merchandizes

dizes (Fish excepted) such Sum of Money, not exceeding 12 *d.* as the Mayor, Aldermen, &c. shall from Time to Time appoint.

II. The said Mayor, Aldermen, &c. may chuse Collectors of the said Money; who shall pay the same to the Chamberlain of the said Burgh.

III. There shall be eight, or any five of them, Commissioners appointed to take Account of the Receipts and Disbursements of the said Money. Two of whom shall be nominated by the said Mayor, Aldermen, &c. and other two by the Mayor, Aldermen, &c. of *Norwich*, and other two by the Justices of Peace for the County of *Norfolk*, and other two by the Justices of Peace for the County of *Suffolk*, at their respective Quarter-Sessions; which Commissioners, or five of them, may from Time to Time, call before them all intrusted with the Collection of the said Money, who are hereby required to render them a true Account thereof. The said Commissioners may appoint the Monies due upon such Account, to be expended towards the Uses aforesaid. And the Mayor of the said Burgh shall administer an Oath to the Collectors, for the faithful executing their Office in the Premises.

IV. The Collectors shall be allowed out of the Sums they receive, what the Mayor, Aldermen, &c. shall think fit, not exceeding 2 *d.* in the Pound.

V. The Collectors may at seasonable Times enter into any Vessel within the said Haven and Road, to see what Goods shall be in the same: And if the Money appointed to be paid, as aforesaid, shall not be paid by the Master, &c. the Collectors by Warrant from the Mayor, may distrain such Vessel, and all the Furniture thereof, and keep the same till they be satisfied; and in case of Neglect of Payment of the said Sums, or any Part thereof, within ten Days after Distress, the Collectors may sell the Distress, and satisfy themselves for the Duty, and their reasonable Charges, rendering the Overplus.

Provided, That Fish, Oils and Fish-livers, obtained upon any Fishing Voyage, and such Remainder of Salt, Bread, Beer and other Provision as shall be taken into the Vessel for the accomplishing any Fishing-Voyage, and not spent therein, shall be exempted from Payment of the said Duty.

Explained by Stat. 1 W. & M. cap. 11.

Barn.

1. Stat. 8 H. 6. 23. **N**ONE shall export any Thrums or Woolen Yarn under Colour of Thrums, on Pain to forfeit the double Value thereof.

York.

I. Stat. 19 H. 6. 3. All Letters Patents granted to Citizens of York, to be exempted of the Offices of Mayoralty, Sheriffrick, Chamberlain, Collector of Dismes and Quinzimes, and Citizens for the Parliament, shall be void; and the Citizen who purchaseth or taketh such Exemption, shall forfeit 40 l. to the King, and Mayor and Citizens of York.

II. Stat. 34 & 35 H. 8. 10. An Act for making of Coverlets within York, and none shall be made to put to Sale in Yorkshire, but only in the Town of York; together with divers other good Provisions touching that Subject. For which see the Statute at large.

York County.

I. Stat. 7 Anne, cap. 13. After the 24th of June, 1709, every Broad-Cloth made in Yorkshire, and well scoured, and fully milled, shall be five Quarters and a half in Breadth, within the Lifts, being fully wet. An End or half Cloth fully wet shall not exceed twenty-three Yards in Length. Every long or whole Cloth, being fully wet, shall not exceed forty-six Yards in Length. Wholethick Kerseys, and whole thick Plains, shall be seventeen Yards and an half long, and three Quarters and a half broad, when fully wet.

II. Any Clothier making or exposing to Sale any of the said Cloths not made according to the said Breadths and Lengths, and being convicted thereof by the Oath of any Searcher of Cloth in Yorkshire, or by the Oath of one Witness before one Justice of Peace in that County, (so as he be no Trader in the Woollen Manufacture,) shall for every Inch wanting in the Breadths, and for every Yard the long or whole Cloths shall exceed forty-six Yards, and the End or half Cloths shall exceed twenty-three Yards, and for every half Yard the whole thick Kerseys, or whole thick Plains, shall be less in Length than seventeen Yards and an half, forfeit twenty Shillings.

III. The Owner or Occupier of every Fulling-Mill in *Yorkshire*, where the said Cloths shall be milled or fulled, shall, before 'tis carried from the Mill, fix at each End of the Cloth a Seal of Lead riveted and stamp'd with his Name, with the Number of Yards and Inches which the Cloths contain in Length and Breadth when wet, scoured, and milled; for which the Owner shall pay a Penny.

IV. The Fuller refusing or neglecting to fix such Seal, or any Person taking off, defacing, counterfeiting, or altering the Figures before the Cloth is exported or sold to the Retailers, or stretching or straining any Piece of the woollen Cloths more than an Inch in the Breadth in a Quarter of a Yard, or any Piece of the Broad-Cloths more than a Yard in twenty Yards in Length, or the whole thick Kerseys, and whole thick Plains, more than half a Yard in every seventeen Yards and an half; or if any Fuller shall mill or full in any one Stock at the same Time more than one whole Broad-cloth, or two half Broad-cloths, and being convicted in the Manner as aforesaid, forfeits for every Offence twenty Shillings.

V. One Moiety of the Forfeitures to the Informer, the other Moiety to the Poor of the Township or Place where the Offence was committed. Offender refusing or neglecting to pay it in seven Days after Conviction, the Justice before whom he was convicted may grant a Warrant to the Constable to levy it by Distress; and if no sufficient Distress can be had, then to commit him to the House of Correction or Gaol, where to be kept to hard Labour, for any Time not exceeding one Month for one Offence.

VI. *Proviso*, That the Penalties shall be inflicted within ten days next after the Offences are committed or discovered.

VII. *Proviso*, That if any such Cloths, without the wilful default of the Maker, shall in some Parts be less than the respective Breadth, not exceeding in the Whole one fifth Part in Length, yet such may be sold without incurring the penalty.

VIII. The Party aggrieved by the Conviction of the Justice may appeal to the next Quarter-Sessions; and if the Sessions shall confirm or disannul the Justice's Order, they may award Costs.

IX. If any Action is brought for putting this Act in Execution, the Defendant may plead the General Issue, and give the Act, and any Special Matter in Evidence, and shall recover treble Costs. This Act shall be taken to be a publick Act.

X. Stat. 8 *Anna*, cap. 5. Three or more Commissioners for putting the Act in Execution for recruiting Soldiers in the several Ridings in *Yorksire*, (being Justices of Peace,) tho' not all of the same Riding, may execute the Powers, &c. within the Castle of *York*.

The Use of the ensuing TABLE.

THE Titles in Black Letters are the General Heads of the Matters you search for.

The Titles in Roman Letters, being under the Black Letter Titles, are other General Heads, wherein more of the Matters contained in the Black Letter Titles may be found.

For Example, If Search be made for all Matters relating to Actions Popular, first search the General Head Actions Popular, then (in the Titles Demurrers, *Sett.* 2. Informers *Sett.* 36, &c. Monopolies 5.) under Actions Popular.

The Titles in the Italick Letters are not General Heads to be searched for in the Black; but the Matters relating to such Titles are to be found in the Roman Titles under the Black Italick.

For Example, If you search for Abjuration, *See* Crown *Sett.* 70, &c. Forest, *Sett.* 10 & 19. and there you will find the Matters relating to Abjuration, & sic de ceteris.

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